

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF SEPTEMBER 18, 2009

(Published September 26, 2009, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

September 18, 2009 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Gordon, Hofstede, Ostrow, Schiff, Lilligren, President Johnson.

Absent – Council Member Samuels.

Lilligren moved adoption of the agenda. Seconded.

Vice President Lilligren assumed the Chair.

Johnson moved to amend the agenda to add under “Adjournment” that the City Council will adjourn to Room 315 to consider the matter of Continental Property Group, et al. v. City of Minneapolis. Seconded.

Adopted upon a voice vote.

Absent - Samuels.

The agenda, as amended, was adopted upon a voice vote 9/18/2009.

Absent - Samuels.

President Johnson resumed the Chair.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session held August 28, 2009. Seconded.

Adopted upon a voice vote 9/18/2009.

Absent - Samuels.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 9/18/2009.

Absent - Samuels.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273732)

University Gateway Corporation (re McNamara Alumni Center, 200 Oak St SE): Preliminary & final approval to issue bonds for expansion project.

Classification of Tax-Forfeited Land: Classification of land, authorizing the City to purchase certain parcels, administrative actions.

American Indian Community Development Corporation (re Anishinabe Bii-Gii-wiin Project, Franklin Ave & Hwy 55): Transfer of excess lands from MnDOT to AICDC.

Grain Belt Office Building (1215 Marshall St NE (part)): Direction to staff to reopen Request For Proposals.

Holtzman Interests #28 LLC (re Mill District City Apartments, 600 Washington Ave S and 603 2nd St S): Amendment to Amended & Restated Redevelopment Contract.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273733)

Longfellow Station: Longfellow Station Tax Increment Finance Plan & Modification No. 115 to the Common Development & Redevelopment Plan & Common Tax Increment Financing Plan.

Tax Credit Program Funds: Accept grant award from MN Housing Finance Agency for Audubon Crossing, Creekside Commons & Near North Recapitalization.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

CIVIL RIGHTS (273734)

Civil Rights Commission: Approve Mayoral and City Council appointments (11 vacancies).

HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (273735)

School Based Clinic Program: Amend contract with Pat Neska and Associates to increase contract amount by \$12,000 to complete payments for contracted billing services through August 31, 2009.

REGULATORY SERVICES (273736)

Healthy Homes Grant: Submit grant application to State of Minnesota, Department of Health, seeking \$25,000 for temporary lead safe housing for families displaced by lead hazard reduction activities.

INTERGOVERNMENTAL RELATIONS (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (273737)

Universal Health Care: Amendment to FY 2010 Federal Agenda, replacing existing policy initiative language.

INTERGOVERNMENTAL RELATIONS (273738)

Tax Relief for Damaged/Destroyed Property: Request for tax relief in area designated as an emergency area.

PUBLIC SAFETY AND REGULATORY SERVICES:

POLICE DEPARTMENT (273739)

Police Policy and Procedure Manual: Report.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (273740)

Bottle House Wine & Spirits (150 2nd Av S): Grant Off-Sale Liquor License, with conditions.

Lyndale (2937 Lyndale Av S): Grant On-Sale Liquor Class E with Sunday Sales License, with conditions.

Steves Stump Removal (12051 70th St, Little Falls): Grant Tree Servicing License, with conditions.

Hayford Auto Repair (3403 Cedar Av): Approve License Settlement Conference recommendations relating to Motor Vehicle Repair Garage License.

LICENSES AND CONSUMER SERVICES (273741)

Koyi Sushi Too (2111 E Franklin Av): Grant On-Sale Wine Class E with Strong Beer License.

Wasabi Fusion Cuisine (903 Washington Av S): Grant On-Sale Liquor Class E with Sunday Sales License (expansion of premises for outdoor seating area).

Clubhouse Jaeger (923 Washington Av N): Grant On-Sale Liquor Class C-1 with Sunday Sales License (expansion of premises for outdoor seating area).

LICENSES AND CONSUMER SERVICES (273742)

Licenses: Applications.

REGULATORY SERVICES (273743)

Property at 139 E 27th St: Approve rehabilitation.

REGULATORY SERVICES (273744)

Property at 2540 12th Av S: Approve rehabilitation.

REGULATORY SERVICES (273745)

Rental Dwelling License at 2600 Morgan Av N: Revoke license held by Raymond Scherbing.

REGULATORY SERVICES (273746)

Property at 3405 Chicago Av: Approve rehabilitation, subject to conditions.

REGULATORY SERVICES (273747)

Rental Dwelling License at 729 E 16th St: Revoke license held by John T. Jensen II/Mary Jensen.

REGULATORY SERVICES (273748)

Rental Halls: Ordinance amending regulations related to rental halls.

Housing Maintenance Code: Ordinances deleting language to allow a provision to require repair of detached steps leading to the public way; and amending the requirement from a 7 1/2 foot ceiling height to 7 feet to be consistent with the State Adopted Building Code requirements.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

POLICE DEPARTMENT (273749)

Alternate Enforcement Grant Program: Accept grant award of \$4,000 and execute grant agreement with Minnesota Institute of Public Health for enforcement of underage drinking laws; and Passage of Resolution approving appropriation.

TRANSPORTATION AND PUBLIC WORKS:

CENTERPOINT ENERGY (273750)

Utility Pole Installations: a) 801 12th Ave N; b) 508 6th Ave N; c) 2525 Chicago Ave; d) 1766 Knox Ave S; and e) Woodlawn Blvd between 51st and 52nd Streets.

PUBLIC WORKS AND ENGINEERING (273751)

50th St W and France Ave S Parking Facility: Set assessment public hearing.

Sidewalk Repair and Construction: Set assessment public hearing.

Quarterly Traffic Zones, Restrictions, and Controls: Documentation for 2nd Quarter, 2009 (See Petn No 73595).

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (273752)

Snow and Ice Removal from Public Sidewalks: Assessment public hearing; Comments.

Graffiti Abatement Service: Sani-Masters, Inc. contract increase.

Fridley Chemical Building: Magney Construction, Inc. contract increase.

Pedestrian/Bicycle Trail: Limited Use Permit with State of Minnesota.

Nongovernmental Tax Exempt Parcel Street Light Operations Fee Assessment: Project designation; and set public hearing.

Nongovernmental Tax Exempt Parcel Street Maintenance Assessment: Project designation, and set public hearing.

LynLake Municipal Parking Lot: Establish special assessment proceedings and impact fees; and set public hearing.

Areaway Abandonment and Removal: Receive final costs; and set public hearing re: 821 Lake St W and 2957 Lyndale Ave S.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (273753)

Clean City Promotion: Accept donation of services from Wolff Motel (now Modern Climate).

Recyclables Processing: Extend contract with Allied Recycling.

Lease Management Services: Agreement with Hennepin County.

Bid: a) OP 7110, Rescind action of 5/22/09 accepting bid of HBM Services, Inc (Petr No 273500); and b) OP 7110, Accept bid of Prestige Maintenance, USA LTD for janitorial services at Public Service Center.

WAYS AND MEANS BUDGET:

BUSINESS INFORMATION SERVICES (BIS) (273754)

2009 Budget Status Report: Update.

Toshiba Printer Right-Sizing Effort: Report.

FINANCE DEPARTMENT (273755)

2008 Financial Audit: State Auditor Management & Compliance Report.

2011-2015 Recommended Five-Year Financial Direction: Report.

FIRE DEPARTMENT (273756)

2009 Budget Status Report: Update.

Commercial Building Registration and Inspection Program: Report.

POLICE DEPARTMENT (273757)

2009 Budget Status Report: Update.

PUBLIC WORKS - WATER WORKS (273758)

2009 Budget Status Report: Update.

WAYS AND MEANS BUDGET (See Rep):

311 (273759)

Gift Donation: Accept donation for travel and lodging expenses from Lagan Inc.

911 (273760)

Gift Donation: Accept donation from TriTech Corporation and AssetCo for travel expenses for 911 Director to speak at two Emergency Dispatch Center Consolidation Technology seminars.

ATTORNEY (273761)

Court Reporting Services: Amend contracts a) C-21990 with Kirby A. Kennedy & Associates; b) C-22000 with Depo International.

Council on Crime and Justice: Contract extension.

Legal Services Panels: Issue RFP.

CITY CLERK (273762)

Statement of Economic Interest: City positions required to file.

COMMUNICATIONS & PUBLIC WORKS (273763)

October 2009 Utility Billing Insert: Fall street sweeping and yard waste collection information.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273764)

5 Points Project: Issue RFP for public artist/landscape architect.

FINANCE DEPARTMENT (273765)

Medicare Secondary Payer Mandatory Reporting: Register City as reporting entity for Medicare, Medicaid, and SCHIP Extension Act of 2007 (MMSEA), Section 111; and designate Chief Finance Officer as representative.

2009 Parkway Paving Program (PV001): Approve increase appropriation; and assessment bonding authority for project.

HUMAN RESOURCES (273766)

International Alliance of Theatrical Stage Employees, Local 13, Stagehands Unit: Labor agreement.

Retirement Incentive Plan: Ordinance amending Title 2, Chapter 20, adding a new Section 20.477.

City of Minneapolis Defined Contribution Retirement Plan: Amend plan to comply with IRS regulations.

PUBLIC WORKS AND ENGINEERING (273767)

Elections Storage Lease: Amend existing lease contract C-24225 with Mid-City Plaza Partnership for additional warehouse storage space for five month term.

Storm Damage: Amend existing contract C-26690 with Concrete Idea, Inc. for sidewalk repairs and replacements.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (273768)

Historic Variance:

CSM Depot LLC (225 3rd Ave S, 425 2nd Street S, 300 Washington Ave S)

PLANNING COMMISSION/DEPARTMENT (273769)

Appeals:

Lake Wine & Cheese (404 W Lake Street)

Stone Arch Phase II (600 Main Street SE)

PLANNING COMMISSION/DEPARTMENT (273770)

Vacation:

Lakewood Isles LLC (Ewing Ave S south of 31st Street W)

Rezoning:

Lyndale Green (610 28th Street W)

Zoning Code Text Amendments:

Permitted & Conditional Uses in the Industrial Districts

Reception, Rental, Banquet, & Meeting Hall Regulations

FILED:

CITY CLERK (273771)

GK Cab Company, Inc and Spike Holding Company and Scott Strouts: Verbatim transcript of the proceedings held at an Administrative Citation Hearing on March 6, 2009.

MINNESOTA POLLUTION CONTROL AGENCY (273772)

Petroleum Tank Release Site File Closure, Site: Minneapolis Public Works, 1911 East 26th St, Mpls, MN 55401, Site ID# LEAK00017358

The following reports were signed by Mayor Rybak on September 23, 2009, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev— Your Committee, having under consideration the issuance of revenue bonds on behalf of University Gateway Corporation for the McNamara Alumni Center Expansion Project at 200 Oak St SE, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$12,500,000 in 501(c)(3) Tax-exempt Revenue Bonds Series 2009 for said project.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-415, authorizing the issuance and sale of, and providing the form, terms, pledge of revenues, findings, covenants, and directions relating to the Variable Rate Demand Revenue Bonds, Series 2009 (University Gateway Project), under Minnesota Statutes, Sections 469.152-469.165, as amended, to be issued to finance the costs of the construction and equipping of an addition to an office building owned by University Gateway Corporation and located on the Minneapolis campus of the University of Minnesota (200 Oak St SE), was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-415

By Goodman

Authorizing the issuance and sale of, and providing the form, terms, pledge of revenues, findings, covenants, and directions relating to the Variable Rate Demand Revenue Bonds (University Gateway Project), Series 2009, under Minnesota Statutes, Sections 469.152-469.165, as amended, to be issued to finance the costs of the construction and equipping of an addition to an office building owned by University Gateway Corporation and located on the Minneapolis campus of the University of Minnesota.

Resolved by The City Council of The City of Minneapolis:

SECTION 1. BACKGROUND

1.01. **STATUTORY AUTHORIZATION.** The City of Minneapolis, Minnesota (the "City"), is a home rule city and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota, and is authorized by Minnesota Statutes, Sections 469.152-469.165, as amended (the "Act"), to issue revenue bonds to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension of a "project," defined in the Act as any properties, real or personal, used or useful in connection with a revenue producing enterprise, for the public purposes expressed in the Act. The City may also issue revenue bonds under the Act to refund, in whole or in part, bonds previously issued by the City under the Act.

1.02. **THE CORPORATION AND THE FACILITY.** The University of Minnesota Foundation (the "University Foundation"), the University of Minnesota Alumni Association (the "Alumni Association"), and the Minnesota Medical Foundation (the "Medical Foundation") jointly established the University Gateway Corporation, a Minnesota nonprofit corporation (the "Corporation") in 1997, and received a determination from the Internal Revenue Service that the Corporation is exempt from federal income taxation under Section 501(a) of the Internal Revenue Code of 1986, as amended (the "Code"), as a result of the application of Section 501(c)(3) of the Code. The Corporation was formed for the purpose of developing a six-story office building and related improvements (the "Facility") to be located on the Minneapolis campus of the University of Minnesota.

1.03. **THE SERIES 1997 BONDS.** The costs of the construction and development of the Facility were financed by the City through the issuance of its: (i) Revenue Bonds (University Gateway Project), Series 1997-A (the "Series 1997-A Bonds"), in the original aggregate principal amount of \$25,000,000;

and (ii) Variable Rate Demand Revenue Bonds (University Gateway Project), Series 1997-B (the "Series 1997-B Bonds"), in the original aggregate principal amount of \$15,000,000 (the Series 1997-A Bonds and the Series 1997-B Bonds are hereinafter referred to collectively as the "Series 1997 Bonds"). The Series 1997 Bonds were issued pursuant to Resolution No. 97R-358, adopted by the City Council of the City and approved by the Mayor of the City on November 21, 1997, and pursuant to an Indenture of Trust, dated as of December 1, 1997 (the "Indenture"), between the City and U.S. Bank National Association (formerly known as First Trust National Association), as trustee (the "Trustee"). The proceeds derived from the sale of the Series 1997 Bonds were loaned to the Corporation pursuant to the terms of a Loan Agreement, dated as of December 1, 1997 (the "Loan Agreement"), between the City and the Corporation. The Corporation applied the proceeds of the loan to the development and construction of the Facility.

1.04. SECURITY FOR THE SERIES 1997 BONDS. The obligations of the Corporation pursuant to the terms of the Loan Agreement are secured by a Mortgage and Security Agreement, dated as of December 1, 1997 (the "Mortgage"), between the Corporation, as mortgagor, and the City, as mortgagee, and an Assignment of Leases and Rents, dated as of December 1, 1997 (the "Assignment of Leases and Rents"), between the Corporation, as assignor, and the City, as assignee. The interests of the City in the Mortgage and the Assignment of Leases and Rents were assigned to the Trustee and University of Minnesota Foundation, a Minnesota nonprofit corporation (the "Guarantor") pursuant to the terms of an Assignment of Mortgage and Security Agreement, dated as of December 1, 1997 (the "Assignment of Mortgage"). The Series 1997 Bonds were also secured by a Guaranty Agreement, dated as of December 1, 1997 (the "Guaranty"), executed by the Guarantor for the benefit of the Trustee and a predecessor to Wells Fargo Bank, National Association, a national banking association (the "Bank").

1.05. THE FACILITY. The development and construction of the Facility has been completed. The Facility, designated the McNamara Alumni Center — University of Minnesota Gateway, contains approximately 230,000 square feet of interior space and houses the offices for the University Foundation, the Alumni Association, and the Medical Foundation. The Facility serves as an alumni/visitor center for the University of Minnesota and a portion of the office space of the Facility is leased to the University of Minnesota. The Facility is located at 200 Oak Street S.E. in Minneapolis, Minnesota 55455-2010. The Facility is owned and operated by the Corporation.

1.06. THE IMPROVEMENTS. In 2002, the Corporation elected to construct additional enhancements to the Facility and to construct a plaza adjacent to the Facility to be donated to the University of Minnesota (collectively, the "Improvements"). The Corporation requested that the City assist the Corporation in financing the costs of the Improvements through the issuance of additional bonds pursuant to the terms of the Indenture and, pursuant to an amendment to the Loan Agreement, through a loan of the proceeds of the additional bonds to the Corporation.

1.07. THE SERIES 2002 BONDS. The costs of the construction and development of the Improvements were financed by the City through the issuance of its Variable Rate Demand Revenue Bonds (University Gateway Project), Series 2002 (the "Series 2002 Bonds"), in an original aggregate principal amount of \$7,350,000. The Series 2002 Bonds were issued as parity obligations with the Series 1997 Bonds pursuant to Resolution No. 2002R-163, adopted by the City Council of the City on May 17, 2002, and approved by the Mayor of the City on May 20, 2002, and pursuant to the terms and conditions of a First Supplement to Indenture of Trust, dated as of June 1, 2002 (the "First Supplemental Indenture"), between the City and the Trustee. The proceeds derived from the sale of the Series 2002 Bonds were loaned to the Corporation under the terms of a First Amendment to Loan Agreement, dated as of June 1, 2002 (the "First Amendment to Loan Agreement"), between the City and the Corporation.

1.08. SECURITY FOR THE SERIES 2002 BONDS. The obligations of the Corporation pursuant to the terms of the First Amendment to Loan Agreement are secured by the Mortgage, as amended by a First Supplement to Mortgage and Security Agreement, dated as of June 1, 2002 (the "First Supplemental Mortgage"), between the Corporation and the Trustee and Guarantor, and the Assignment of Leases and Rents, as amended by a First Amendment to Assignment of Leases and Rents, dated as of June 1, 2002 (the "First Amendment to Assignment"), between the Corporation and the Trustee and Guarantor. The loan repayments required to be made by the Corporation under the terms of the First Amendment to Loan Agreement, were assigned to the Trustee under the terms of the First

Supplemental Indenture. The payment of the principal of, premium, if any, and interest on the Series 2002 Bonds are also secured by the Guaranty, as amended by the terms of a First Amendment to Guaranty Agreement, dated as of June 1, 2002 (the "First Amendment to Guaranty"), executed by the Guarantor and delivered to the Trustee.

1.09. THE SERIES 2006 BONDS. At the request of the Corporation, the City issued its Revenue Refunding Bonds (University Gateway Project), Series 2006 (the "Series 2006 Bonds"), in an original aggregate principal amount of \$22,700,000, on April 12, 2006. The Series 2006 Bonds were issued as parity obligations with the Series 1997 Bonds and the Series 2002 Bonds pursuant to the terms and conditions of a Second Supplement to Indenture of Trust, dated as of April 1, 2006 (the "Second Supplemental Indenture"), between the City and the Trustee. The proceeds derived from the sale of the Series 2006 Bonds were loaned to the Corporation under the terms of a Second Amendment to Loan Agreement, dated as of April 1, 2006 (the "Second Amendment to Loan Agreement"), between the City and the Corporation. The Corporation directed the application of the proceeds of the loan made pursuant to the Second Amendment to Loan Agreement to the payment, redemption, and prepayment of the outstanding principal amount of the Series 1997-A Bonds.

1.10. SECURITY FOR THE SERIES 2006 BONDS. The repayment of the loan made pursuant to the terms of the Second Amendment to Loan Agreement and the payment of the principal and purchase price of, premium, if any, and interest on the Series 2006 Bonds are secured by the Mortgage and First Supplemental Mortgage, as amended by a Second Supplement to Mortgage and Security Agreement, dated as of April 1, 2006 (the "Second Supplemental Mortgage"), between the Corporation and the Trustee and Guarantor, and by the Assignment of Leases and Rents and the First Amendment to Assignment, as amended by a Second Amendment to Assignment of Leases and Rents, dated as of April 1, 2006 (the "Second Amendment to Assignment"), between the Corporation and the Trustee and Guarantor. The loan repayments required to be made by the Corporation under the terms of the Second Amendment to Loan Agreement, were assigned to the Trustee under the terms of the Second Supplemental Indenture. The payment of the principal of, premium, if any, and interest on the Series 2006 Bonds were secured under the terms of the Guaranty and the First Amendment to Guaranty, as amended by a Second Amendment to Guaranty Agreement, dated as of April 1, 2006 (the "Second Amendment to Guaranty"), executed by the Guarantor and delivered to the Trustee.

1.11. THE ADDITION. The Corporation has elected to construct an addition of approximately 31,000 square feet (the "Addition") to the Facility. The Addition will be owned and operated by the Corporation. The Addition will be comprised of four stories and a basement and will include approximately 15,000 additional square feet of office space, a new large meeting room, and a new kitchen/food-service space that has been designed to operate as an additional meeting space after food-service hours. The existing food-service space in the Facility is proposed to be converted to breakout space for the meeting center and can be combined with the other meeting spaces to accommodate larger groups. The Addition includes a new entrance to the Facility and the Addition (the "Building"), and a four-story atrium. The new entrance and new corridor connection to the north entry to the Building will enable the event center to accommodate two major events at the same time. The kitchen and food-service staging areas of the Building are being renovated to better serve the higher-than-anticipated number of events in the Facility as well as serving the Addition. The Corporation has requested that the City assist the Corporation in financing the costs of the Addition through the issuance of additional bonds pursuant to the terms of the Indenture and, pursuant to an amendment to the Loan Agreement, through a loan of the proceeds of the additional bonds to the Corporation.

1.12. THE SERIES 2009 BONDS. The Corporation has requested that the City issue its Variable Rate Demand Revenue Bonds (University Gateway Project), Series 2009 (the "Series 2009 Bonds" or the "Bonds"), in an original aggregate principal amount not to exceed \$12,500,000. The Series 2009 Bonds are to be issued as parity obligations with the Series 1997 B Bonds, the Series 2002 Bonds, and the Series 2006 Bonds pursuant to the terms and conditions of a Third Supplement to Indenture of Trust, to be dated on or after October 1, 2009 (the "Third Supplemental Indenture"), between the City and the Trustee. The Series 2009 Bonds are proposed to be sold pursuant to the terms of a Bond Purchase Agreement (the "Purchase Agreement") between the City, the Corporation, and RBC Capital Markets Corporation and Wells Fargo Brokerage Services, LLC (collectively, the "Underwriters"). The proceeds derived from the sale of the Series 2009 Bonds will be loaned to the Corporation under the

terms of a Third Amendment to Loan Agreement, to be dated on or after October 1, 2009 (the "Third Amendment to Loan Agreement"), between the City and the Corporation. The Corporation will direct the application of the proceeds of the loan made pursuant to the terms of the Third Amendment to Loan Agreement (the "Loan") pursuant to the terms of the Third Amendment to Loan Agreement, the Third Supplemental Indenture, and the Disbursing Agreement, dated on or after October 1, 2009 (the "Disbursing Agreement"), between the Corporation, the Trustee, and a disbursing agent to be selected by the Corporation, to finance the construction and equipping of the Addition and related costs referred to in Section 1.11 hereof. A portion of the Loan may also be applied to the payment of interest on the Series 2009 Bonds during the construction of the Addition and to the payment of a portion of the costs of issuing the Series 2009 Bonds. The Indenture, as supplemented by the First Supplemental Indenture, the Second Supplemental Indenture, and the Third Supplemental Indenture, is hereinafter referred to as the "Amended Indenture." The Loan Agreement, as amended by the First Amendment to Loan Agreement, the Second Amendment to Loan Agreement, and the Third Amendment to Loan Agreement is hereinafter referred to as the "Amended Loan Agreement."

1.13. SECURITY FOR THE SERIES 2009 BONDS. The repayment of the Loan and the payment of the principal and purchase price of, premium, if any, and interest on the Series 2009 Bonds are to be secured by the Mortgage, First Supplemental Mortgage, and Second Supplemental Mortgage, as amended by a Third Supplement to Mortgage and Security Agreement, to be dated on or after October 1, 2009 (the "Third Supplemental Mortgage"), between the Corporation and the Trustee and Guarantor, and by the Assignment of Leases and Rents, the First Amendment to Assignment, and Second Amendment to Assignment, as amended by a Third Amendment to Assignment of Leases and Rents, to be dated on or after October 1, 2009 (the "Third Amendment to Assignment"), between the Corporation and the Trustee and Guarantor. The loan repayments required to be made by the Corporation under the terms of the Third Amendment to Loan Agreement, will be assigned to the Trustee under the terms of the Third Supplemental Indenture. The payment of the principal of, premium, if any, and interest on the Series 2009 Bonds will also be secured under the terms of the Guaranty, the First Amendment to Guaranty, and the Second Amendment to Guaranty, as amended by a Third Amendment to Guaranty Agreement, to be dated on or after October 1, 2009 (the "Third Amendment to Guaranty"), to be executed by the Guarantor and delivered to the Trustee. The Mortgage, as amended by the First Supplemental Mortgage, the Second Supplemental Mortgage, and the Third Supplemental Mortgage, is hereinafter referred to as the "Amended Mortgage." The Assignment of Leases and Rents, as amended by the First Amendment to Assignment, the Second Amendment to Assignment, and the Third Amendment to Assignment, is hereinafter referred to as the "Amended Assignment." The Guaranty, as amended by the First Amendment to Guaranty, the Second Amendment to Guaranty, and the Third Amendment to Guaranty, is hereinafter referred to as the "Amended Guaranty."

1.14. LIQUIDITY FACILITY FOR THE SERIES 1997-B BONDS AND SERIES 2002 BONDS. The Series 1997-B Bonds and the Series 2002 Bonds were issued as variable-rate obligations each of which is required to be purchased from the holder upon seven days notice. In order to ensure the holders that the Series 1997-B Bonds are purchased upon demand of the holders, the Bank, the Corporation, and the Guarantor entered into a Standby Bond Purchase Agreement, dated as of December 1, 1997 (the "Standby Purchase Agreement"). In order to ensure the holders that the Series 2002 Bonds are purchased upon demand of the holders, the Bank, the Corporation, and the Guarantor entered into a First Amendment to Standby Bond Purchase Agreement, dated as of June 1, 2002, between the Bank, the Corporation, and the Guarantor (the "First Amendment to Standby Purchase Agreement"). Under the terms of the Standby Purchase Agreement, as amended by the First Amendment to Standby Purchase Agreement, the Bank is obligated, under certain conditions, to purchase any Series 1997-B Bond or Series 2002 Bond which has been tendered for purchase but which cannot be remarketed prior to the purchase date. In order to make certain amendments to the Standby Purchase Agreement, as amended by the First Amendment to Standby Purchase Agreement, including the amount of the fees payable to the Bank and the interest rates on Bank Bonds (as defined therein), the Corporation, the Guarantor, and the Bank entered into a Second Amendment to Standby Bond Purchase Agreement, dated as of March 19, 2009 (the "Second Amendment to Standby Purchase Agreement").

1.15. LIQUIDITY FACILITY FOR THE SERIES 2009 BONDS. The Series 2009 Bonds are also proposed to be issued as variable-rate obligations each of which is required to be purchased from the holder upon seven days notice. In order to ensure that the Series 2009 Bonds will be purchased upon demand of the holders, the Bank, the Corporation, and the Guarantor will enter into a Third Amendment to Standby Bond Purchase Agreement, dated on or after October 1, 2009 (the "Third Amendment to Standby Purchase Agreement"). The Standby Purchase Agreement, as amended by the First Amendment to Standby Purchase Agreement, the Second Amendment to Standby Purchase Agreement and the Third Amendment to Standby Purchase Agreement, is hereinafter referred to as the "Amended Standby Purchase Agreement." Under the terms of the Amended Standby Purchase Agreement, the Bank will be obligated, under certain conditions, to purchase any Series 2009 Bonds which have been tendered for purchase and which cannot be remarketed prior to the purchase date and to purchase Series 2009 Bonds that are subject to mandatory tender for purchase. The remarketing of Series 2009 Bonds that are required to be purchased will be undertaken pursuant to the provisions of a Remarketing Agreement, dated on or after October 1, 2009 (the "Remarketing Agreement"), between the City, the Trustee, the Corporation, and the Underwriters.

1.16. DOCUMENTS. Forms of the following documents have been submitted to the City and are now on file with the City: (i) the Third Amendment to Loan Agreement; (ii) the Third Supplemental Indenture; (iii) the Third Supplemental Mortgage; (iv) the Third Amendment to Assignment; (v) Disbursing Agreement; (vi) the Third Amendment to Guaranty; (vii) the Third Amendment to Reimbursement Agreement, dated on or after October 1, 2009 (the "Third Amendment to Reimbursement Agreement"), between the Guarantor and the Corporation; (viii) the Third Amendment to Intercreditor Agreement, dated on or after October 1, 2009 (the "Third Amendment to Intercreditor Agreement"), between the Guarantor, the Trustee, and the Corporation; (ix) the Third Amendment to Standby Purchase Agreement; and (x) the Purchase Agreement; and (xi) the Remarketing Agreement.

SECTION 2. ISSUANCE OF BONDS

2.01. FINDINGS. The City Council hereby finds, determines, and declares that:

(a) The issuance and sale of the Series 2009 Bonds, the execution and delivery by the City of the Third Amendment to Loan Agreement, the Third Supplemental Indenture, the Purchase Agreement, and the Remarketing Agreement, and the performance of all covenants and agreements of the City contained in the Third Amendment to Loan Agreement, the Third Supplemental Indenture, the Purchase Agreement, and the Remarketing Agreement are undertaken pursuant to the Act.

(b) The Addition furthers the purposes stated in Section 469.152 of the Act and constitutes a "project," as defined in Section 469.153, subdivision 2(b), of the Act.

(c) The loan repayments to be made by the Corporation under the Third Amendment to Loan Agreement are fixed to produce revenue sufficient to provide for the prompt payment of the principal of, premium, if any, and interest on the Series 2009 Bonds issued under the Third Supplemental Indenture when due, and the Amended Loan Agreement and the Amended Indenture also provide that the Corporation is required to pay all expenses of the operation and maintenance of the Facility, the Addition, and the Improvements (the "Corporation Facilities"), including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all lawfully imposed taxes and special assessments levied upon or with respect to the Corporation Facilities and payable during the term of the Amended Loan Agreement and the Amended Indenture.

(d) The Series 2009 Bonds and the interest thereon are not general or moral obligations of the City or a debt of the City within the meaning of any constitutional or statutory limitation. The Series 2009 Bonds and the interest thereon are limited obligations of the City, payable solely from the Trust Estate pledged therefor under the Amended Indenture, including, without limitation, its interest in payments received under the Amended Loan Agreement. No holder of any Series 2009 Bonds shall ever have the right to compel any exercise by the City of its taxing powers to pay any of the Series 2009 Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Amended Loan Agreement, assigned to the Trustee under the Amended Indenture. The Series 2009 Bonds shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City, except the interests of the City in the Amended Loan

Agreement. The Series 2009 Bonds shall recite that the Series 2009 Bonds are issued pursuant to the Act, and that the Series 2009 Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof.

2.02. ISSUANCE OF THE SERIES 2009 BONDS. The City hereby authorizes the issuance of the Series 2009 Bonds, in the principal amount, in the form, and upon the specific terms and conditions set forth in the Third Supplemental Indenture and pursuant to the general terms and conditions of the Indenture. The Series 2009 Bonds shall be delivered to the Trustee for authentication and delivery to the Underwriters. All of the provisions of the Series 2009 Bonds (as prescribed in the Third Supplemental Indenture, in the form now on file with the City, with the amendments referenced herein), when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Series 2009 Bonds shall be substantially in the form on file with the City, which is hereby approved, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Series 2009 Bonds, the principal amounts of each maturity of the Series 2009 Bonds, the maturity dates, the interest rate for each maturity, optional and mandatory redemption terms, mandatory sinking fund payment schedules, and other terms and provisions of the Bonds) as the Finance Officer of the City (the "Finance Officer"), in his discretion, shall determine. The aggregate principal amount of the Series 2009 Bonds, the principal amount of Series 2009 Bonds, the method for determining the interest rates on the Series 2009 Bonds, the maturity date of the Series 2009 Bonds, the date of the documents referenced in this resolution and the Series 2009 Bonds, and the terms of redemption of the Series 2009 Bonds may be established or modified with the approval of the City. The execution and delivery of the Series 2009 Bonds shall be conclusive evidence that the City has approved such terms as subsequently established or modified. The offer of the Underwriters to purchase the Series 2009 Bonds as provided in the Purchase Agreement at the price established under the terms of the Purchase Agreement plus accrued interest (if any) to the date of delivery at the interest rate or rates specified in the Third Supplemental Indenture is hereby accepted. The execution of the Bonds with the manual or facsimile signature of the Finance Officer and the delivery of the Bonds by the City shall be conclusive evidence of such determination. The Finance Officer is hereby authorized to execute and deliver any agreements with any depository institution, including any representation letter or amendment to any existing representation letter, to provide for the registration of the Series 2009 Bonds in book-entry form. The City hereby authorizes the Series 2009 Bonds to be issued as "tax-exempt bonds" the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes.

2.03. DESIGNATION AS PROGRAM BONDS. The Series 2009 Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

2.04. THIRD SUPPLEMENTAL INDENTURE. The Finance Officer is hereby authorized and directed to execute the Third Supplemental Indenture and to deliver the Third Supplemental Indenture to the Trustee. The Third Supplemental Indenture shall provide the terms and conditions, covenants, rights, obligations, duties, and agreements of the bondholders, the City, and the Trustee as set forth therein. All of the provisions of the Third Supplemental Indenture, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Third Supplemental Indenture shall be substantially in the form on file with the City on the date hereof, and is hereby approved with such necessary and appropriate variations, omissions, and insertions as are not materially inconsistent with such form and as the Finance Officer, in his discretion, shall determine; provided that the execution and delivery thereof by the Finance Officer shall be conclusive evidence of such determination.

2.05. THIRD AMENDMENT TO LOAN AGREEMENT. The Finance Officer is hereby authorized and directed to execute the Third Amendment to Loan Agreement and to deliver the Third Amendment to Loan Agreement to the Corporation, and when executed and delivered as authorized herein, the Third Amendment to Loan Agreement shall be deemed to be a part of this resolution as fully and to the same

extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Third Amendment to Loan Agreement shall be substantially in the form on file with the City on the date hereof, which is hereby approved, with such necessary variations, omissions, and insertions as are not materially inconsistent with such form and as the Finance Officer, in his discretion, shall determine; provided that the execution thereof by the Finance Officer shall be conclusive evidence of such determination.

2.06. PURCHASE AGREEMENT. The offer of the Underwriters to purchase the Series 2009 Bonds as provided in the Purchase Agreement at the price established under the terms of the Purchase Agreement plus accrued interest (if any) to the date of delivery at the interest rate or rates specified in the Third Supplemental Indenture is hereby accepted. The Finance Officer is hereby authorized and directed to accept and execute the Purchase Agreement and the Remarketing Agreement. All of the provisions of the Purchase Agreement and the Remarketing Agreement when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Purchase Agreement and the Remarketing Agreement shall be substantially in the forms on file with the City on the date hereof, and are hereby approved, with such necessary and appropriate variations, omissions, and insertions as are not materially inconsistent with such forms and as the Finance Officer, in his discretion, shall determine; provided that the execution thereof by the Finance Officer shall be conclusive evidence of such determination.

2.07. APPROVAL OF DOCUMENTS. The Third Supplemental Mortgage, the Third Amendment to Assignment, the Disbursing Agreement, the Third Amendment to Guaranty, the Purchase Agreement, the Third Amendment to Reimbursement Agreement, the Third Amendment to Intercreditor Agreement, the Third Amendment to Standby Purchase Agreement, and the Remarketing Agreement are hereby approved in substantially the forms on file with the City on the date hereof. The terms of the Third Supplemental Mortgage, the Third Amendment to Assignment, the Third Amendment to Guaranty, the Purchase Agreement, the Third Amendment to Reimbursement Agreement, the Third Amendment to Intercreditor Agreement, the Third Amendment to Standby Purchase Agreement, and the Remarketing Agreement may be modified with the approval of the Finance Officer.

2.08. DISCLOSURE DOCUMENTS. The City consents to the distribution of a Preliminary Official Statement (if deemed necessary or appropriate by the Corporation) and an Official Statement (collectively, the "Disclosure Document") prepared with respect to the issuance of the Series 2009 Bonds. The Disclosure Document shall recite that the City has not participated in the preparation of the Disclosure Document nor made any independent investigation of the information contained in the Disclosure Document, and the City takes no responsibility for the sufficiency, accuracy, or completeness of such information. The City hereby approves the execution and delivery of a Continuing Disclosure Agreement or a Third Amendment to Continuing Disclosure Agreement, to be dated on or after October 1, 2009 (the "Continuing Disclosure Agreement"), between the Corporation, the Guarantor, and the Trustee, pursuant to which the Corporation and the Guarantor agree to meet certain continuing disclosure obligations imposed by Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"). The Corporation, the Guarantor, and the Trustee shall acknowledge in the Continuing Disclosure Agreement that the City has undertaken no responsibilities with respect to any reports, notices, or disclosures required under the Continuing Disclosure Agreement or the Rule.

2.09. CERTIFICATIONS OF THE CITY. The Finance Officer and other officers, employees, and agents of the City are hereby authorized and directed to prepare and furnish to bond counsel, the Underwriters, and the Trustee certified copies of all proceedings and records of the City relating to the issuance of the Series 2009 Bonds, and such other affidavits and certificates as may be required to show the facts relating to the Series 2009 Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them; and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained herein. Such officers, employees, and agents are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by bond counsel, the Underwriters, the Trustee, or other

persons or entities in conjunction with the issuance of the Series 2009 Bonds. Without imposing any limitation on the scope of the preceding sentence, such officers, employees, and agents are specifically authorized to execute and deliver one or more financing statements, an arbitrage and rebate certificate, a receipt for the proceeds derived from the sale of the Series 2009 Bonds, an order to the Trustee as to the application of the proceeds of the Series 2009 Bonds, a general certificate of the City, and an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038 (Rev. September 2007).

SECTION 3. MISCELLANEOUS

3.01. AGREEMENTS BINDING. All agreements, covenants, and obligations of the City contained in this resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their respective terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the City Council, the Finance Officer, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the City Council, the Finance Officer, nor any officer or employee of the City executing the Series 2009 Bonds, shall be liable personally on the Series 2009 Bonds or be subject to any personal liability or accountability by reason of the issuance of the Series 2009 Bonds.

3.02. RIGHTS CONFERRED. Nothing in this resolution or in the above-referenced documents is intended or shall be construed to confer upon any person (other than as provided in the Third Supplemental Indenture and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution; this resolution, the Amended Indenture, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and the Trustee as fiduciary for owners of the Series 2009 Bonds issued under the provisions of this resolution and the Amended Indenture, and the Corporation to the extent expressly provided in the Amended Indenture and the Amended Loan Agreement.

3.03. VALIDITY. In case any one or more of the provisions of this resolution, or of the documents mentioned herein, or of the Series 2009 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Series 2009 Bonds, but this resolution, the aforementioned documents, and the Series 2009 Bonds shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein. If for any reason the Finance Officer, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Finance Officer, or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by a deputy or assistant to such officer, or by such other officer or employee of the City as is authorized to execute such certificates, instruments, or other written documents.

3.04. REQUIRED ACTIONS. All acts, conditions, and things required by the laws of the State of Minnesota, relating to the adoption of this resolution, to the issuance of the Series 2009 Bonds, and to the execution of the Third Supplemental Indenture, the Third Amendment to Loan Agreement, and the other documents referred to above, to happen, exist, and be performed precedent to and in the enactment of this resolution, and precedent to the issuance of the Series 2009 Bonds, and precedent to the execution of the Third Supplemental Indenture, the Third Amendment to Loan Agreement, and the other documents referred to above, have happened, exist, and have been performed as so required by law.

3.05. EFFECTIVE DATE. This resolution shall take effect and be in force from and after its approval and publication. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this

resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

Adopted 9/18/2009.

Absent - Samuels.

Comm Dev - Your Committee, having under consideration classification of tax forfeited land, now recommends passage of the accompanying resolution which approves the following:

- a) Classification of various properties as non-conservation land;
- b) Conveyance of 9 Hennepin County tax-forfeited properties to the City of Minneapolis for \$1.00 each, in accordance with the Memorandum of Understanding between the two governmental entities;
- c) Conveyance of 6 Hennepin County tax-forfeited properties to the City of Minneapolis for the fair market value, utilizing the deferred payment option as outlined in the Memorandum of Understanding between the two governmental entities;
- d) That the proper City officers be authorized to negotiate the purchase of 3 properties located in non-target neighborhoods for their fair market value not to exceed \$50,000 each;
- e) Placement of 52 Hennepin County tax-forfeited properties on hold for 6 months for the Department of Community Planning & Economic Development; and
- f) Authorizing the Mayor and the City Clerk to sign an application for title registration which will be filed pursuant to Minnesota Statutes 508.03(6).

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-416, approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-416

By Goodman

Approving the classification of certain forfeited land located in the City of Minneapolis, Hennepin County, Minnesota, as non-conservation and the conveyance thereof.

Whereas, the City Council of the City of Minneapolis, Hennepin County, Minnesota, has been advised by the County of Hennepin, Minnesota, that certain parcels of land in said City have become the property of the State of Minnesota under the provision of law declaring the forfeiture of lands to the State for nonpayment of taxes;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the parcels listed below which have not already been designated as non-conservation land be designated as such, and that all the properties listed below be withheld from public and private sale and conveyed to the City of Minneapolis/Department of Community Planning and Economic Development (CPED):

<u>PID Number</u> <u>Address</u>	<u>Target</u>	<u>Ward</u> <u>Zoning</u> <u>Forfeit</u> <u>Date</u>	<u>Lot Size</u>	<u>Legal Description</u>	<u>Current</u> <u>Use</u>
09 029 24 41 0149 726 30TH AVE N Non-Conservation	Yes	3 R2B 5/21/2009	40X120 4,800	LOT 014 BLOCK 002 THE OAKLAND ADDITION TO MINNEAPOLIS	Vacant Duplex

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16 029 24 43 0057	Yes	5	47x155	LOT 009 BLOCK 010 "GALES SUBDIVISIONS IN SHERBURNE & BEEBE'S ADDITION TO MINNEAPOLIS"	Vacant, Boarded, Condemned Duplex
1406 GIRARD AVE N Non-Conservation		R2B 5/21/2009	7,281		
26 029 24 43 0061	Yes	6	50x142	LOT 003 BLOCK 007 C. L. WILLES' ADDITION TO MINNEAPOLIS	Vacant
1911 14TH AVE S Non-Conservation		R4/NP 5/21/2009	7,050		
08 029 24 41 0132	Yes	4	40x126	LOT 017 BLOCK 001 "QUEEN AVENUE ADDI- TION TO MINNEAPOLIS"	Vacant Land
3006 RUSSELL AV N Non-Conservation		R2B 6/18/2009	5,059		
09 029 24 32 0184	Yes	5	43x128	LOT 005 BLOCK 003 "SUPPLEMENT TO FOREST PARK ADDITION TO MINNEAPOLIS"	Vacant, Boarded, Non Compliant Bldg
2939 NEWTON AV N Non-Conservation		R2B 6/18/2009	5,458		
09 029 24 33 0110	Yes	5	43x126	LOT 014 BLOCK 004 "SUPPLEMENT TO FOREST HEIGHTS MINNEAPOLIS"	Vacant Land
2724 PENN AVE N Non-Conservation		R1A 6/18/2009	5,365		
09 029 24 34 0012	Yes	5	42x129	LOT 006 "HARDY'S ADDI- TION TO MINNEAPOLIS"	Vacant Land
2635 JAMES AVE N Non-Conservation		R1A 6/18/2009	5,425		
09 029 24 44 0154	Yes	3	43x128	LOT 011 BLOCK 011 FAIR- MOUNT PARK ADDITION TO MINNEAPOLIS	Vacant, Boarded, Condemned Single Family
2640 COLFAX AVE N Non-Conservation		R2B 6/18/2009	5,429		
10 029 24 32 0006	Yes	3	42x157	LOT 006 DURYEA & WILSON'S ADDITION TO MINNEAPOLIS	Vacant, Boarded, Duplex
3015 6TH ST N Non-Conservation		R2B 6/18/2009	6,594		
10 029 24 32 0163	Yes	3	61x81	LOT 6 AND THAT PART OF LOT 5 LYING W OF E 5 FT THOF FRANK W. LAUDER- DALE'S SUBDIVISION IN BLOCK 10 OF MORRISON'S ADDITION TO NORTH MINNEAPOLIS	Vacant Land
428 31ST AVE N Non-Conservation		R2B 6/18/2009	4,926		
10 029 24 32 0165	Yes	3	41x116	E 41 FT OF W 82 FT OF LOTS 7 AND 8 BLK 7 MORRISONS ADDITION TO NORTH MINNEAPOLIS	Vacant Land
424 31ST AVE N Non-Conservation		R2B 6/18/2009	4,756		

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11 029 24 11 0013	No	1	60x120	E 60 FT OF W 92 FT OF LOTS 4 5 AND 6 EX ALLEY BLOCK 014 MENAGE'S SUPPLEMENT TO EAST SIDE ADDITION TO MINNEAPOLIS	Vacant Single Family
809 27TH AVE NE Non-Conservation		R2B 6/18/2009	7,200		
16 029 24 23 0071	Yes	5	45x124	LOT 005 BLOCK 022 "FOREST HEIGHTS"	Vacant, Boarded, Condemned Single Family
2203 OLIVER AVE N Non-Conservation		R2B 6/18/2009	5,580		
16 029 24 23 0079	Yes	5	45x87	W 87 25/100 FT LOT 012 BLOCK 022 "FOREST HEIGHTS"	Vacant, Boarded, Condemned Single Family
2100 PENN AVE N Non-Conservation		R2B 6/18/2009	3,915		
16 029 24 24 0053	Yes	5	Irregular		Vacant, Boarded, Condemned Duplex
1530 HILLSIDE AVE Non-Conservation		R2B 6/18/2009	6,360	THAT PART OF LOT 31 AND THAT PART OF THE ADJOINING VACATED ALLEY, BLOCK 15, FOREST HEIGHTS, DESCRIBED AS BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 31 THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE THEREOF 52 FEET THENCE NORTHEASTERLY PASSING THROUGH A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 31 DISTANT 33 FEET SOUTHEASTERLY FROM THE MOST NORTHERLY CORNER THEREOF TO AN INTERSECTION WITH A LINE DRAWN FROM A POINT ON THE EXTENSION OF THE EAST LINE OF LOT 18 IN SAID BLOCK 15 DISTANT 63.82 FEET SOUTH FROM THE SOUTHEASTERLY CORNER OF SAID LOT 18 TO A POINT 14 FEET SOUTHWESTERLY FROM THE MOST WESTERLY CORNER OF LOT 16 IN SAID BLOCK 15 (SAID LAST MENTIONED POINT BEING ON A LINE WHICH FORMS A RIGHT ANGLE AT THE MOST WESTERLY CORNER OF SAID LOT 16 WITH A LINE EXTENDING FROM THE MOST WESTERLY CORNER OF SAID LOT 16 TO A POINT ON THE EXTENSION OF THE EAST LINE OF SAID LOT 18 DISTANT 43.82 FEET SOUTH FROM THE SOUTHEASTERLY CORNER OF SAID LOT 18) THENCE NORTHWESTERLY ALONG SAID ABOVE DESCRIBED LINE TO ITS INTERSECTION WITH THE NORTHEASTERLY EXTENSION OF THE NORTHWESTERLY LINE OF SAID LOT 31 THENCE SOUTHWESTERLY TO THE POINT OF BEGINNING	
04 029 24 44 0083	No	3	40x126	LOT 013 BLOCK 004 "WALTON PARK"	Vacant Single Family
3711 COLFAX AVE N Non-Conservation		R2B 6/25/2009	5,042		
09 029 24 41 0055	Yes	3	40x126	LOT 028 BLOCK 002 "HARMONY TERRACE"	Vacant Land
2950 BRYANT AVE N Non-Conservation		R2B 6/25/2009	5056		

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36 029 24 44 0014	No	9	48x128	LOT 011 BLOCK 015 "SOUTH SIDE ADDITION" TO THE CITY OF MINNE- APOLIS	Vacant, Boarded, Condemned Duplex
2842 31ST AVE S Non-Conservation		R4 6/25/2009	6,144		

Be It Further Resolved that the parcels listed below be designated as non-conservation land, and that all the properties listed below be withheld from sale for six (6) months:

<u>PID Number</u> <u>Address</u>	<u>Target</u>	<u>Ward</u> <u>Zoning</u> <u>Forfeit Date</u>	<u>Lot Size</u>	<u>Legal Description</u>	<u>Current</u> <u>Use</u>
15 029 24 22 0006	Yes	3	48X157	S 1/2 OF LOT 3 AND N 1/2 OF LOT 4 BLOCK 007 COBB'S ADDITION TO NORTH MINNEAPOLIS	Vacant Land
2317 3RD ST N Non-Conservation		R2B 5/21/2009	7,536		
15 029 24 23 0039	Yes	3	40X157	LOT 007 BLOCK 002 NICKELS AND SMITH'S ADDITION TO MINNEAPOLIS	Vacant, Condemned, Boarded Single Family
2215 4TH ST N Non-Conservation		R2B 5/21/2009	6,280		
16 029 24 34 0066	Yes	5	39x125	LOT 012 BLOCK 003 CREPEAU'S THIRD ADDI- TION TO MINNEAPOLIS	Vacant Single Family
1320 KNOX AVE N Non-Conservation		R2B 5/21/2009	4,875		
17 029 24 14 0040	Yes	5	40x129	LOT 003 BLOCK 002 "NICHOLS-FRISSELL CO.'S SHADY OAKS ADDI- TION TO MINNEAPOLIS"	Vacant Single Family
2023 QUEEN AVE N Non-Conservation		R1A 5/21/2009	5,120		
12 118 21 23 0257	No	4	42x112	LOT 001 BLOCK 013 HUMBOLDT GREENWAY FIFTH ADDITION	Vacant Land
1400 50TH AVE N Non-Conservation		R4 6/18/2009	4,704		
12 118 21 23 0259	No	4	45x112	LOT 003 BLOCK 013 HUMBOLDT GREENWAY FIFTH ADDITION	Vacant Land
1404 50TH AVE N Non-Conservation		R4 6/18/2009	5,040		
12 118 21 23 0264	No	4	41x115	LOT 008 BLOCK 013 HUMBOLDT GREENWAY FIFTH ADDITION	Vacant Land
5016 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	4,715		
12 118 21 23 0265	No	4	41x117	LOT 009 BLOCK 013 HUMBOLDT GREENWAY FIFTH ADDITION	Vacant Land
5020 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	4,817		
12 118 21 23 0266	No	4	42x121	LOT 010 BLOCK 013 HUMBOLDT GREENWAY FIFTH ADDITION	Vacant Land
5024 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,105		

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12 118 21 23 0268	No	4	47x163x 41x141	LOT 012 BLOCK 013 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
5032 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	6,688		
12 118 21 23 0269	No	4	52x195 x41x163	LOT 013 BLOCK 013 HUMBOLDT GREENWAY FIFTH ADDITION	Vacant Land
5036 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	8,413		
12 118 21 23 0270	No	4	57x233x 41x195	LOT 014 BLOCK 013 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
5040 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	10,486		
12 118 21 23 0271	No	4	48x225	LOT 015 BLOCK 013 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
5044 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	10,912		
12 118 21 23 0278	No	4	48x111	LOT 001 BLOCK 015 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1214 50TH AVE N Non-Conservation		R4 6/18/2009	5,318		
12 118 21 23 0279	No	4	44x111	LOT 002 BLOCK 015 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1212 50TH AVE N Non-Conservation		R4 6/18/2009	4,884		
12 118 21 23 0280	No	4	46x111x 50x101	LOT 003 BLOCK 015 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1210 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0281	No	4	46x101x 50x111	LOT 004 BLOCK 015 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1208 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0282	No	4	44x111	LOT 005 BLOCK 015 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1204 50TH AVE N Non-Conservation		R4 6/18/2009	4,884		
12 118 21 23 0283	No	4	48x111x 47x111	LOT 006 BLOCK 015 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1200 50TH AVE N Non-Conservation		R4 6/18/2009	5,328		
12 118 21 23 0284	No	4	46x111	LOT 001 BLOCK 016 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1114 50TH AVE N Non-Conservation		R4 6/18/2009	5,106		
12 118 21 23 0285	No	4	44x111	LOT 002 BLOCK 016 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1112 50TH AVE N Non-Conservation		R4 6/18/2009	4,884		

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12 118 21 23 0286	No	4	46x111x 50x101	LOT 003 BLOCK 016 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1110 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0287	No	4	46x111x 50x101	LOT 004 BLOCK 016 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1108 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0288	No	4	44x111	LOT 005 BLOCK 016 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1104 50TH AVE N Non-Conservation		R4 6/18/2009	4,884		
12 118 21 23 0289	No	4	46x111	LOT 006 BLOCK 016 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1100 50TH AVE N Non-Conservation		R4 6/18/2009	5,106		
12 118 21 23 0290	No	4	46x112	LOT 001 BLOCK 017 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1115 50TH AVE N Non-Conservation		R4 6/18/2009	5,152		
12 118 21 23 0291	No	4	44x111	LOT 002 BLOCK 017 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1113 50TH AVE N Non-Conservation		R4 6/18/2009	4,884		
12 118 21 23 0292	No	4	46x101x 50x111	LOT 003 BLOCK 017 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1111 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0293	No	4	46x111x 50x101	LOT 004 BLOCK 017 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1109 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0294	No	4	44x111	LOT 005 BLOCK 017 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1105 50TH AVE N Non-Conservation		R4 6/18/2009	4,884		
12 118 21 23 0295	No	4	46x111	LOT 006 BLOCK 017 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1101 50TH AVE N Non-Conservation		R4 6/18/2009	5,106		
12 118 21 23 0296	No	4	48x112	LOT 001 BLOCK 018 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1215 50TH AVE N Non-Conservation		R4 6/18/2009	5,376		
12 118 21 23 0297	No	4	44x112	LOT 002 BLOCK 018 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1213 50TH AVE N Non-Conservation		R4 6/18/2009	4,928		

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12 118 21 23 0298	No	4	46x102x 50x112	LOT 003 BLOCK 018 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1211 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0299	No	4	46x112x 50x102	LOT 004 BLOCK 018 HUM BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1209 50TH AVE N Non-Conservation		R4 6/18/2009	4,744		
12 118 21 23 0300	No	4	44x112	LOT 005 BLOCK 018 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1205 50TH AVE N Non-Conservation		R4 6/18/2009	4,928		
12 118 21 23 0301	No	4	48x112	LOT 006 BLOCK 018 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1201 50TH AVE N Non-Conservation		R4 6/18/2009	5,376		
12 118 21 23 0334	No	4	42x112	LOT 001 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1401 50TH AVE N Non-Conservation		R4 6/18/2009	4,704		
12 118 21 23 0335	No	4	42x112	LOT 002 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
1403 50TH AVE N Non-Conservation		R4 6/18/2009	4,704		
12 118 21 23 0337	No	4	44x127x 45x129	LOT 004 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4952 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,714		
12 118 21 23 0338	No	4	42x129x 42x131	LOT 005 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4948 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,452		
12 118 21 23 0339	No	4	Irregular	LOT 006 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4944 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,302		
12 118 21 23 0340	No	4	42x119x 42x122	LOT 007 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4940 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,060		
12 118 21 23 0341	No	4	42x122x 42x126	LOT 008 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4936 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,203		
12 118 21 23 0342	No	4	42x126x 42x130	LOT 009 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4932 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,371		

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12 118 21 23 0343	No	4	42x130x 42x134	LOT 010 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4928 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,526		
12 118 21 23 0344	No	4	42x134x 42x140	LOT 011 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4924 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	5,764		
12 118 21 23 0345	No	4	51x140x 42x168	LOT 012 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4920 HUMBOLDT LA N Non-Conservation		R4 6/18/2009	6,447		
12 118 21 23 0346	No	4	52x168x 43x186	LOT 013 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4916 HUMBOLDT AVE N Non-Conservation		R4 6/18/2009	7,568		
12 118 21 23 0347	No	4	50x186x 49x175	LOT 014 BLOCK 008 HUM- BOLDT GREENWAY FIFTH ADDITION	Vacant Land
4912 HUMBOLDT AVE N Non-Conservation		R4 6/18/2009	8,795		
04 029 24 43 0052	No	4	40x126	LOT 025 BLOCK 006 "WALTON PARK"	Vacant Single Family
3738 FREMONT AVE N Non-Conservation		R2B 6/18/2009	5,052		
09 029 24 44 0114	Yes	3	41x127	LOT 014 BLOCK 008 FAIRMOUNT PARK ADDITION TO MINNEAPOLIS	Vacant Land
2826 BRYANT AVE N Non-Conservation		R2B 6/18/2009	5,425		

Be It Further Resolved that the parcels listed below be designated as non-conservation land, and that all the properties listed below be released for public auction:

<u>PID Number</u> <u>Address</u>	<u>Target</u>	<u>Ward</u> <u>Zoning</u> <u>Forfeit</u> <u>Date</u>	<u>Lot</u> <u>Size</u>	<u>Legal Description</u>	<u>Current</u> <u>Use</u>
12 118 21 43 0014	No	4	40X195	LOT 008 BLOCK 001 "CAMDEN PARK ADDITION"	Vacant Land
4631 LYNDAL AVE N Non-Conservation		C1 5/21/2009	7,800		
02 028 24 44 0117	No	9	40X73	W 40 FT LOTS 1 AND 2 BLOCK 005 BIDLEMAN'S ADDITION TO MINNEAPOLIS	Occupied Single Family
1715 37TH ST E Non-Conservation		R2B 5/21/2009	2,920		
11 029 24 31 0146	Yes	1	37x117	S 37 FT OF LOTS 1 AND 2 BLOCK 028 LENNON AND NEWELL'S ADDITION TO SAINT ANTHONY	Vacant Commercial Land
2110 4TH ST N E Non-Conservation		R2B 6/18/2009	4,329		

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13 029 24 24 0018	Yes	1	31X125	LOT 015 BLOCK 001 "BROWNS ADDITION TO MINNEAPOLIS"	Occupied Single Family
1311 PIERCE ST NE Non-Conservation		R1A 5/21/2009	3,875		
15 029 24 22 0073	Yes	3	41X85	LOT 024 BLOCK 001 NICKELS AND SMITH'S ADDITION TO MINNEAPOLIS	Vacant Land
2228 4TH ST N Non-Conservation		R2B 5/21/2009	3,485		
15 029 24 22 0100	Yes	3	40X86	W 40 FT OF E 80 FT OF LOTS 9 AND 10 BLOCK 001 WOODLAND PARK	Vacant, Condemned, Boarded Apartment Bldg
318 25TH AVE N Non-Conservation		R2B 5/21/2009	3,440		
15 029 24 23 0098	Yes	3	39X157	LOT 013 BLOCK 002 "RENO'S ADDITION TO MINNEAPOLIS"	Vacant Land
2110 6TH ST N Non-Conservation		R2B 5/21/2009	6,091		
16 029 24 34 0085	Yes	5	46x125	LOT 013 BLOCK 001 CREPEAU'S FOURTH ADDITION TO MINNEAPOLIS	Occupied Single Family Repurchase
1522 LOGAN AVE N Non-Conservation		R1A 5/21/2009	5,625		
34 029 24 11 0168	Yes	6	Irregular	UNIT NO 101 CIC NO. 1557 THIRD AVENUE COMMON INTEREST COMMUNITY	Vacant Condo (storage)
2021 3RD AVE S #101 Non-Conservation		R5 5/21/2009			
04 029 24 43 0069	No	4	40x126	LOT 013 BLOCK 007 "WALTON PARK"	Occupied Single Family
3711 FREMONT AVE N Non-Conservation		R2B 6/18/2009	5,042		
09 029 24 41 0128	Yes	3	40x120	LOT 011 BLOCK 001 THE OAKLAND ADDITION TO MINNEAPOLIS	Vacant Land
738 31ST AVE N Non-Conservation		R2B 6/18/2009	4,800		
09 029 24 41 0193	Yes	3	40x120	LOT 020 BLOCK 008 THE OAKLAND ADDITION TO MINNEAPOLIS	Occupied Single Family REPUR PENDING
3101 ALDRICH AVE N Non-Conservation		R2B 6/18/2009	4,800		
16 029 24 11 0027	Yes	3	40x54	W 40 FT OF LOT 7 AND THE W 40 FT OF S 4 FT OF LOT 6 BLOCK 002 HIGH- LAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	Vacant, Boarded, Condemned Single Family
712 24TH AVE N Non-Conservation		R2B 6/18/2009	2,160		
16 029 24 11 0130	Yes	3	50x57	LOT 008 BLOCK 016 HIGH- LAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	Vacant Land Apartment
2400 DUPONT AVE N Non-Conservation		R2B 6/18/2009	7,850		

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16 029 24 12 0086	Yes	5	50x157	LOT 006 BLOCK 031 HIGHLAND PARK ADDITION TO THE CITY OF MINNEA- POLIS	Occupied Duplex
2305 EMERSON AVE N Non-Conservation		R2B 6/18/2009	7,850		
16 029 24 13 0044	Yes	3	33x100	E 33 FT OF W 66 FT OF LOTS 7 AND 8 BLOCK 024 HIGH- LAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	Vacant Land
1008 21ST AVE N Non-Conservation		R2B 6/18/2009	3,300		
16 029 24 13 0111	Yes	5	50x125	W 50 FT OF S 1/2 OF LOT 5 AND W 50 FT OF LOTS 6 AND 7 BLOCK 039 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	Vacant Land
1212 22ND AVE N Non-Conservation		R2B 6/18/2009	6,250		
16 029 24 14 0138	Yes	3	50X117X 25X40	W 117 FT AND THE S 25 FT OF THE E 40 FT LOT 015 BLOCK 019 HIGHLAND PARK ADDITION TO THE CITY OF MINNEAPOLIS	Vacant Land Apartment
2126 DUPONT AVE N Non-Conservation		R2B 6/18/2009	6,860		
16 029 24 22 0067	Yes	5	87x120 x80	THAT PART LYING NWLY OF SELY 32 FT LOT 019 BLOCK 006 "FOREST HEIGHTS"	Vacant Land
2430 PENN AVE N Non-Conservation		R2B 6/18/2009	3,384		
16 029 24 32 0003	Yes	5	44x125	LOT 002 BLOCK 001 "MENARD'S FIRST ADDI- TION TO MINNEAPOLIS"	Occupied Single Family
2005 GOLDEN VALLEY RD Non-Conservation		R1A 6/18/2009	5,500		
24 029 24 22 0437	Yes	3	Irregular	UNIT NO P16 CIC NO.1792 MILL TRACE CONDOMINIUM	Occupied Condo Garage
619 8TH ST SE #P16 Non-Conservation		I1 6/18/2009	37,405		
02 028 24 13 0022	Yes	9	34x123	S 24 FT OF LOT 7 AND N 10 FT OF LOT 8 BLOCK 009 WILLIAM'S ADDITION TO MINNEAPOLIS	Vacant Commercial Building
3218 BLOOMINGTON AV Non-Conservation		C2 6/25/2009	4,192		
11 028 24 33 0043	No	8	46x117	LOT 001 BLOCK 003 AUDI- TOR'S SUBDIVISION NO. 257 HENNEPIN COUNTY, MINN	Vacant Land
4400 PARK AVE Non-Conservation		R1A 6/25/2009	5,382		
09 029 24 33 0198	Yes	5	43x127	LOT 004 BLOCK 011 "SUP- PLEMENT TO FOREST HEIGHTS MINNEAPOLIS"	Vacant Land
2615 NEWTON AVE N Non-Conservation		R1A 6/25/2009	5,429		
26 029 24 34 0041	Yes	6	54X68	E 54 FT LOT 007 BLOCK 005 J S & W ELLIOTS ADDI- TION TO MINNEAPOLIS	Vacant Apart- ment Bldg Repurchase Pending
1010 19TH ST E Non-Conservation		R6/NP 6/25/2009	3,618		

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34 029 24 11 0091	Yes	6	39x95	W 38 9/10 FT OF E 128 9/10 FT LOT 005 BLOCK 002 RESURVEY OF MAX ADDITION TO MINNEAPOLIS	Occupied Single Family
332 24TH ST E Non-Conservation		C2 6/25/2009	3,610		
35 029 24 13 0094	Yes	9	58x127	LOT 005 BLOCK 007 "GALES 1ST ADDITION TO MINNEAPOLIS"	Vacant Land
2446 15TH AVE S Non-Conservation		R2B 6/25/2009	7,395		

Be It Further Resolved that the parcels listed below be designated as non-conservation land, and that all the property listed below be released for auction to adjacent owners:

<u>PID Number</u> <u>Address</u>	<u>Target</u>	<u>Ward</u> <u>Zoning</u> <u>Forfeit</u> <u>Date</u>	<u>Lot Size</u>	<u>Legal Description</u>	<u>Current Use</u>
30 029 23 43 0117	No	2	2x45	S 2 FT OF N 47 FT OF LOT 22 AND S 2 FT OF N 47 FT OF E 5 FT OF LOT 21 BLOCK 007 "PROSPECT PARK HEIGHTS ADDITION TO MINNEAPOLIS"	Vacant Land
1833 1/2 Franklin SE Non-Conservation		R2B 6/18/2009	90		
09 029 24 44 0090	Yes	3	37x67	N 37 FT OF THAT PART LYING E OF THE W 60 FT THEREOF LOT 006 BLOCK 007 FAIRMOUNT PARK ADDITION TO MINNEAPOLIS	Vacant Land
2707 ALDRICH AVE N Non-Conservation		R2B 6/18/2009	2,505		
11 029 24 24 0023	Yes	1	46x110	LOT 015 BLOCK 001 PHILLIP'S ADDITION TO MINNEAPOLIS	Vacant Land
2540 4TH ST NE Non-Conservation		R2B 6/18/2009	5,054		
11 029 24 24 0024	Yes	1	46x110	LOT 016 BLOCK 001 PHILLIP'S ADDITION TO MINNEAPOLIS	Vacant Land
2536 4TH ST NE Non-Conservation		R2B 6/18/2009	5,054		

Be It Further Resolved that the city is authorized to file an application for title registration on the tax forfeited properties listed in this resolution for acquisition by the City of Minneapolis signed by the Mayor and the City Clerk pursuant to Minnesota Statutes 508.03(6).

Adopted 9/18/2009.

Absent - Samuels.

Comm Dev - Your Committee, having under consideration the transfer of excess lands from the Minnesota Department of Transportation (MnDOT) to the American Indian Community Development Corporation (AICDC) for the Anishinabe Bii-Gii-Wiin Project, a workforce housing project located at intersection of Franklin Ave and Highway 55, now recommends passage of the accompanying resolution authorizing Hennepin County Housing and Redevelopment Authority to conduct a land sale between MnDOT and AICDC for the sale of excess MnDOT land for said project.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-417, approving Hennepin County Housing and Redevelopment Authority conduit land sale between the Minnesota Department of Transportation (MnDOT) and the American Indian Community Development Corporation (AICDC) for the sale of excess MnDOT land for an AICDC housing project in the area of Franklin Ave and Highway 55, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-417

By Goodman

Approving Hennepin County Housing and Redevelopment Authority conduit land sale between the Minnesota Department of Transportation (MNDOT) and the American Indian Community Development Corporation (AICDC) for the sale of excess MNDOT land for an AICDC housing project.

Whereas, the Hennepin County Housing and Redevelopment Authority proposes to act as a conduit for the transfer of excess land from the Minnesota Department of Transportation ("MNDOT"), to American Indian Community Development Corporation, a Minnesota nonprofit corporation ("AICDC"), for the acquisition and new construction of a housing project to be undertaken by AICDC and located north of Franklin Avenue and west of Hiawatha Avenue in Minneapolis, Minnesota (the "Project"); and

Whereas, Minnesota Statutes, Section 383B.77, Subd 3, requires that this City Council must approve a project undertaken by the Hennepin County Housing and Redevelopment Authority before such a project may be undertaken within this City; and

Whereas, the Project is subject to the approval of this City Council; and

Whereas, it is deemed in the best interest of this community to approve the Hennepin County Housing and Redevelopment Authority's implementation of the Project as an approved Project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Statutes, Section 383B.77, subd. 3, the City Council approves the Project and approves of the Project assistance to be provided by the Hennepin County Housing and Redevelopment Authority to facilitate the acquisition and new construction of a housing project by AICDC, subject to the following requirements:

(a) That this City retains its jurisdiction over all issues of local concern relating to zoning, land usage, building code requirements and compliance with all applicable city codes and ordinances.

(b) That repayment of any financing obligations owed by Hennepin County Housing and Redevelopment Authority or AICDC will be made solely from revenues derived from the County, AICDC or the Project.

(c) That the full faith and credit of this City will not be pledged in any fashion as a source of repayment of said financing obligation owed by Hennepin County Housing and Redevelopment Authority, AICDC or the Project.

Adopted 9/18/2009.

Absent - Samuels.

Comm Dev - Your Committee, having under consideration the Request for Proposals (RFP) for the Grain Belt Office Building property at 1215 Marshall St NE (part), now recommends that Department of Community Planning & Economic Development (CPED) staff be directed to reopen the RFP, issued on June 9, 2009, for an additional 30 days (ending October 16, 2009), or for up to 90 days if staff deems appropriate.

Adopted 9/18/2009.

Absent - Samuels.

Comm Dev - Your Committee, having under consideration an Amendment to the Amended and Restated Redevelopment Contract by and between the City of Minneapolis and Holtzman Interests #28 LLC for the Mill District City Apartments project at 600 Washington Ave S and 603 2nd St S, relating

to an alternative structure to finalize the financing of the project, now recommends that the proper City officers be authorized to execute said Amendment and related documents consistent with the terms and conditions outlined in the report of the Department of Community Planning & Economic Development, including incorporating the following:

- a) Extend the closing and construction commencement deadlines to no later than October 31, 2009;
- b) Extend the construction completion deadline to October 31, 2011 (24-month construction period);
- c) Village Green Companies will continue to pay a \$12,291 monthly holding fee for the Portland Condos site (based on 10% of the land cost) until closing;
- d) Defer receipt of the purchase price of the Portland Condos parcel (\$1,474,980) until the October 31, 2011 construction completion deadline, subject to monthly interest being paid at 1.5 above prime and a balloon payment of principal at maturity and a Promissory Note from Holtzman Interests #28 LLC;
- e) Require collateral in the form of personal guaranties from the three principal partners of Village Green (Jonathan Holtzman, Ron Benach, and Wayne Moretti); an assignment of net cash flow distributions from Eitel City Apartments; net rental income distributions to Holtzman Interests #28 LLC; earnout proceeds in the construction loan of \$2,200,000;
- f) Defer Developer fee until City loan is repaid;
- g) Replace the \$229,000 Good Faith Deposit with a personal guaranty from Jonathan Holtzman; and
- h) Consent to the Assignment and Assumption of the Amended and Restated Redevelopment Contract by Holtzman Interests #28 LLC to Mill District City Apartments LLC, which is an affiliate of Holtzman Interests #28 LLC.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/18/2009.

(Published 9/22/2009)

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the Longfellow Station Tax Increment Finance Plan and Modification No. 115 to the Common Plan, to facilitate the development of Longfellow Station, a mixed-use, mixed-income transit-oriented development at 3815 Hiawatha Ave, now recommends:

- a) Passage of the accompanying resolutions -
 - 1) approving the Longfellow Station Tax Increment Finance Plan and Modification #115 to the Common Plan;
 - 2) Amending the 2009 General Appropriation Resolution by establishing the Department of Community Planning & Economic Development (CPED) Fund 01CLF – Longfellow Station and appropriating \$5,000 to the fund; and increasing the appropriations and revenue source in other CPED Funds by \$300,000;
 - 3) authorizing the issuance of a Limited Revenue Pay-As-You-Go Tax Increment Financing Note to Capital Growth Real Estate or its affiliates, in a principal amount not to exceed \$3,250,000;
- b) Approval of the proposed redevelopment contract business terms described in the CPED report;
- c) Approval of a loan of up to \$300,000 through the Great Streets Program that will be based on the terms outlined in the staff report and sourced from Hiawatha LRT Transit-Oriented Development (TOD) set-aside funds;
- d) That the proper City officers be authorized to execute the redevelopment and loan agreements with Capital Growth Real Estate or its affiliates, based on the terms contained in the staff report, and all other necessary documents related to the above actions.

Goodman moved to amend the report by adding a new paragraph "a (4)" to read as follows:

"4) supporting the Longfellow Station Metropolitan Council Livable Communities Act Grant Extensions;" Seconded.

Adopted upon a voice vote.

Absent - Samuels.

The report, as amended, was adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-418, approving the Longfellow Station Tax Increment Financing Plan and Modification No 115 to the Common Plan, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-418
By Goodman and Ostrow

Approving the Longfellow Station Tax Increment Financing Plan and Modification No 115 to the Common Plan.

Resolved by the City Council of the City of Minneapolis:

Section 1. Recitals

1.1. Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing ("TIF") districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.2. By Resolution 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City approved the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan (the "Common Plan") and thereby established the Common Development and Redevelopment Project (the "Common Project").

1.3. By Resolution 2007R-444 duly adopted August 31, 2007 and approved September 6, 2007, the City approved the Longfellow Station Redevelopment Plan and thereby established the Longfellow Station Redevelopment Project (the "Project Area").

1.4. It has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the Longfellow Station Tax Increment Financing Plan and Modification No 115 to the Common Plan (collectively, the "Plans"). The Plans create a new housing TIF district (the "TIF District") within the Project Area, state the City's objectives, describe proposed development activity, indicate land uses, and identify a budget for expenditures, all pursuant to and in accordance with the Project Laws.

1.5. The Project Area and the geographic area of the TIF District are included within the boundaries of the Common Project; however, the TIF District will not be incorporated into the Common Project and will not be subject to existing Common Project obligations and commitments.

1.6. The City has performed all actions required by law to be performed prior to the adoption of the Plans, including, but not limited to, a review of the proposed Plans by the affected neighborhood group and the City Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing upon published notice as required by law.

Section 2. Findings and Election

2.1. The Council hereby finds, determines and declares that the objectives and actions authorized by the Plans are all pursuant to and in accordance with the Project Laws.

2.2. The Council further finds, determines and declares that the Plans conform to the general plan for the development or redevelopment of the city as a whole.

2.3. The Council further finds, determines and declares that the Plans will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area and TIF District by private enterprise.

2.4. The Council further finds, determines and declares that the land in the Project Area and TIF District would not be made available for redevelopment without the financial aid and public assistance to be sought.

2.5. The Council further finds, determines and declares that the Longfellow Station TIF District is a housing district pursuant to Minnesota Statutes, Section 469.174, Subdivision 11, and 469.1761, Subdivisions 1 and 3.

2.6. The Council further finds, determines and declares that the proposed development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.

2.7. The Council further finds, determines and declares that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increment for the maximum duration of the district permitted by the TIF plan.

2.8. The Council further finds, determines and declares that the reasons and facts supporting the findings in this resolution are described in the Plans.

2.9. The Council elects the method of computation provided in Minnesota Statutes, Section 469.177, Subdivision 3, Paragraph (a). The Council acknowledges that, by making this election, the entire fiscal disparity contribution required of the City for development occurring within this district will be taken from outside the Longfellow Station TIF District.

2.10. The Council hereby finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plans.

Section 3. Approval of the Plans

3.1. Based upon the findings set forth in Section 2 hereof, the Plans presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plans

4.1. After passage and publication of this Resolution, the officers and staff of the City and the City's consultants and counsel are authorized and directed to proceed with the implementation of the Plans, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, plans, resolutions, documents and contracts necessary for this purpose.

4.2. As provided under Minnesota Statutes, Section 469.1781, Subdivision 7, this Council hereby authorizes the advance of revenues from other available development revenues of the City in the principal amount needed to offset any negative fund balances incurred with respect to this TIF District as a result of expenditures incurred prior to or in excess of the collection of tax increment revenue. The interest rate paid on such advances shall be equal to the rate of interest those revenues would have generated in their fund. The term of this advance shall end upon the termination of the TIF District, although as revenues are available in the fund for the TIF District, the advance shall be offset by such amounts.

Adopted 9/18/2009.

Absent - Samuels.

RESOLUTION 2009R-419 By Goodman and Ostrow

Amending the 2009 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Establishing the Department of Community Planning & Economic Development (CPED) Fund 01CLF – Longfellow Station (01CLF-8900900) and appropriating \$5,000 to said fund;

b) Increasing the appropriations in the CPED Common Project Reserve Fund – Uncertified Fund (01CPZ-8900320) by \$300,000 from available fund balance and 01CAZ – Common Project – Uncertified Fund (01CAZ-8900320) by \$300,000; and c) Increasing the revenue source in the CPED Common Project – Uncertified Fund (01CAZ-8900900-382801) by \$300,000.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-420, authorizing the issuance of a tax increment limited revenue note in substantially the form recited herein in a principal amount not exceeding \$3,250,000 in connection with the Longfellow Station Project, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-420
By Goodman and Ostrow

Authorizing the issuance of a tax increment limited revenue note in substantially the form recited herein in a principal amount not exceeding \$3,250,000 in connection with the Longfellow Station Project.

Whereas, the City of Minneapolis (the "City"), acting pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, has certain powers, including without limitation the powers set forth in Minnesota Statutes, Sections 469.001 through 469.047, as amended (the "HRA Act") and Minnesota Statutes, Sections 469.174 through 469.179, as amended (the "TIF Act"); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the City, and the development of housing for persons of low and moderate incomes, and in this connection the City is carrying out a redevelopment project known as the Longfellow Station Redevelopment Project (the "Project") pursuant to the Longfellow Station Redevelopment Plan approved by the City Council on August 31, 2007 (the "Redevelopment Plan"); and

Whereas, in furtherance of the Redevelopment Plan, the City, contemporaneously with this resolution, is approving the Longfellow Station Tax Increment Financing Plan (the "TIF Plan"); and

Whereas, pursuant to the TIF Act, and specifically Minnesota Statutes, Section 469.178, subd. 4, the City is authorized to issue its tax increment limited revenue note(s) to finance the public redevelopment costs of the Project; and

Whereas, the City has entered or will enter into a redevelopment contract (the "Redevelopment Contract") with Longfellow Station I, LLC (the "Developer"), pursuant to which the City will provide tax increment financing assistance and the Developer will develop a mixed use, mixed income, transit-oriented project with 196 rental housing units, approximately 10,000 square feet of retail space, 241 surface and covered parking spaces, and related site and public improvements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That it is desirable that the City issue a tax increment limited revenue note (the "Note") in substantially the following form, with such variations, insertions and omissions as are deemed appropriate by the parties and approved by the City:

[Form of Note]

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF MINNEAPOLIS

TAX INCREMENT LIMITED REVENUE NOTE
(Longfellow Station Project)

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of Longfellow Station I, LLC, a Minnesota limited liability company (the "Developer"), solely from the source, to the extent and in the manner hereinafter provided, the principal amount of this Note, being \$_____ or such lesser amount as may equal the Public Redevelopment Costs, with interest at the Note Rate, in the installments specified in this Note, on the Payment Dates.

Capitalized terms not defined elsewhere in this Note shall have the meanings below:

"Available Tax Increment" means the Tax Increment received by the City during the period preceding each Payment Date, less (i) the amount of Tax Increment, if any, which the City must pay to the county and the state pursuant to *Minnesota Statutes*, Sections 469.177, Subds. 9 and 11; 469.176, Subd. 4h; and 469.175, Subd. 1a, as the same may be amended from time to time; and (ii) actual administrative costs of the City in an amount not to exceed 10% of the Tax Increment.

"Contract" means that certain Redevelopment Contract by and among the Minneapolis Community Development Agency, the City and the Developer dated _____, 2009.

"District" means the Longfellow Station Tax Increment Financing District within the Project.

"Maturity Date" means the earlier of (i) February 1 of the year following the final year of Tax Increment collection from the District; and (ii) the date when the principal and interest amount of this Note has been paid in full.

"Minimum Improvements" means new construction of a mixed use, mixed income, transit-oriented project with 196 rental housing units, approximately 10,000 square feet of retail space, 241 surface and covered parking spaces, and related improvements as described in the Contract.

"Note Rate" means _____ percent per annum, compounded semiannually.

"Payment Date" means August 1 of the year of first increment collection from the District and each August 1 and February 1 thereafter until the Maturity Date.

"Project" means the Longfellow Station Redevelopment Project.

"Property" means the real property legally described in the attached **Exhibit A**.

"Public Redevelopment Costs" means actual Public Redevelopment Costs as defined in and approved pursuant to the Contract.

"Public Redevelopment Costs Certification" means a certificate in substantially the form attached to the Contract, by which the City certifies the Public Redevelopment Costs pursuant to the terms of the Contract.

"Tax Increment" means that portion of the property taxes generated by the Property and Minimum Improvements that is actually remitted to the City as tax increment under the Tax Increment Act.

"Tax Increment Act" means *Minnesota Statutes*, Section 469.174-469.179, as amended, or any successor statutes applicable to the District.

On each Payment Date, the City shall pay the Developer an installment equal to the lesser of (i) the Available Tax Increment or (ii) the amount necessary to pay the accrued unpaid interest and the unpaid principal amount of this Note in full. If an Event of Default (as defined in the Contract) occurs before the issuance of the Certificate of Completion (as defined in the Contract), then the City may terminate the Contract and the City's obligations under this Note. If an Event of Default (as defined in the Contract) occurs after the issuance of the Certificate of Completion (as defined in the Contract), then the City may suspend payment on this Note until the default is cured. If the City suspends payments due under the Note, the City shall make the suspended payments to the Developer within five (5) business days after the Developer has cured the default. The City is not obligated to pay interest on the amount of the suspended payments between the date the payment is suspended and the last date on which the City is obligated to make the suspended payments to the Developer. If all or a portion of the property taxes due and owing on the Minimum Improvements are not paid, then upon such failure to pay, no interest as required by the Note shall accrue on an amount equal to the amount of the Available Tax Increment that would have been paid to the City had such property tax amounts been paid.

Interest shall accrue on the initial principal amount of this Note from the date of issue of the Public Redevelopment Costs Certification, and shall be computed on a 30 day month/360 day year basis. Each payment under this Note, whether a scheduled payment or any other payment, shall be applied first to current interest, then to accrued unpaid interest and then to the unpaid principal amount of this Note.

On the Maturity Date, this Note shall be deemed paid in full and the City shall have no further obligation under this Note even if the aggregate of the Available Tax Increment that has actually been paid to the Developer on the Payment Dates is less than the full principal and interest amount of this Note. The obligation of the City to make any scheduled payment shall terminate if and to the extent that the full principal and interest amount of this Note has been paid in full. This Note may be prepaid in full or in part at any time without penalty.

Each payment on this Note is payable in any coin or currency of the United States of America which on the date of such payment is legal tender for public and private debts and shall be made by wire transfer pursuant to written wire instructions provided by the Developer or by check or draft made payable to the Developer and mailed to the Developer at _____, or such other address as the Developer shall provide in writing to the City's notice address as set forth in the Contract.

The Note is a special and limited obligation and not a general obligation of the City, which has been issued by the City pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including *Minnesota Statutes*, Section 469.178, subdivision 4, to aid in financing a "project", as therein defined, of the City consisting generally of defraying certain public redevelopment costs incurred by the Developer within and for the benefit of the Project.

THE NOTE IS NOT A DEBT OF THE STATE OF MINNESOTA (THE "STATE"), OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY OF MINNEAPOLIS, MINNESOTA, EXCEPT THAT THE CITY SHALL BE OBLIGATED TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, AND NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY, SHALL BE LIABLE ON THE NOTE, EXCEPT FOR THE CITY'S OBLIGATION TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, NOR SHALL THE NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN AVAILABLE TAX INCREMENT AS SET FORTH HEREIN.

This Note shall not be transferred to any person, unless the City has been provided with an opinion of counsel acceptable to the City that such transfer is exempt from registration and official statement delivery requirements of federal and applicable state securities law and an investment letter reasonably acceptable to the City.

This Note shall not be payable from or constitute a charge upon any funds of the City, and the City shall not be subject to any liability hereon or be deemed to have obligated itself to pay hereon from any funds except the Available Tax Increment, and then only to the extent and in the manner herein specified.

The Developer shall never have or be deemed to have the right to compel any exercise of any taxing power of the City or of any other public body, and neither the City nor any person executing or registering this Note shall be liable personally hereon by reason of the issuance of registration thereof or otherwise.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and the laws of the State of Minnesota to be done, to have happened, and to be performed precedent to and in the issuance of this Note have been done, have happened, and have been performed in regular and due form, time, and manner as required by law; that this Note is issued pursuant to the Tax Increment Act; and that this Note together with all other indebtedness of the City outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the City to exceed any constitutional or statutory limitation thereon.

IN WITNESS WHEREOF, the City of Minneapolis, by action of its Mayor and City Council, has caused this Note to be executed by the manual signature of its Finance Officer, and has caused this Note to be dated _____, 200__.

CITY OF MINNEAPOLIS

By _____
Patrick Born
Its Finance Officer

Approved as to form:

Assistant City Attorney

[Developer Tax ID No. _____]

EXHIBIT A TO NOTE

[Insert Legal Description of the Property]

2. Be It Further Resolved that the form of the Note is hereby approved and shall be executed by the Finance Officer in substantially the form on file, with such changes therein not inconsistent with law as the Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof.

3. Be It Further Resolved that the original principal amount of the Note shall not exceed \$3,250,000, and the annual interest rate on the Note shall not exceed 7.5%

4. Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the issuance of the Note are hereby approved, ratified and confirmed.

5. Be It Further Resolved that the sale of said Note to the Developer is hereby approved, and the Note is hereby directed to be sold to the Developer, upon the terms and conditions set forth in the Redevelopment Contract.

6. Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute such other documents, agreements and certificates as may be required in connection with the Note.

7. Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Note or in any other document related to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the tax increment revenues which are to be applied to the payment of the Note, as provided therein and in the Redevelopment Contract. The Note shall not constitute a charge, lien or encumbrance, legal or equitable upon any

property or funds of the City except that revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Note shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Note or the interest thereon, or to enforce payment hereon against any property of the City. The Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

8. Be It Further Resolved that the Note, when executed and delivered, shall contain a recital that it is issued pursuant to the TIF Act, and such recital shall be conclusive evidence of the validity of the Note and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Note and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the Note and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

9. Be It Further Resolved that this resolution shall be in full force and effect from and after its date of publication.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-421, supporting the Longfellow Station Metropolitan Council Livable Communities Act Grant extensions, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-421
By Goodman and Ostrow

Supporting the Longfellow Station Metropolitan Council Livable Communities Act Grant Extensions.

Whereas, in 2006 the City of Minneapolis received a Livable Communities Demonstration Account grant in the amount of \$934,523 (SG006-162) to demolish grain elevators and other buildings on the project site associated with the redevelopment of Longfellow Station; in 2007 the City of Minneapolis received a Tax Base Revitalization Account grant in the amount of \$295,200 (SG007-041) to help abate asbestos and lead-based paint and conduct contamination cleanup in the soil on the project site associated with the redevelopment of Longfellow Station; and in 2007 the City of Minneapolis received a Livable Communities Demonstration Account grant in the amount of \$500,000 (SG007-115) to implement an innovative, comprehensive and integrated stormwater management system on the project site associated with the redevelopment of Longfellow Station (hereinafter referred to as "the grants" and "the grant activities"); and

Whereas, the original expiration date of the 2006 Livable Communities Demonstration Account grant (SG006-162) was December 31, 2008, and the grant was extended to December 31, 2009; the original expiration date of the 2007 Tax Base Revitalization Account grant (SG007-041) was June 30, 2009, and the grant was extended to September 30, 2009; and the expiration date of the 2007 Livable Communities Demonstration Account grant (SG007-115) is December 31, 2009; and

Whereas, due to unforeseen changes in the housing tax credit and bond markets, the developer has experienced delays in securing project financing, and the City of Minneapolis is unable to complete the grant activities associated with the grants by September 30, 2009 and December 31, 2009; and

Whereas, the developer is in the process of securing financing from the federal Department of Housing and Urban Development so that the Longfellow Station Project can be constructed; and

Whereas, the City of Minneapolis is requesting that the 2007 Tax Base Revitalization Account grant (SG007-041) be extended to September 30, 2010, that the 2006 Livable Communities Demonstration Account grant (SG006-162) and the 2007 Livable Communities Demonstration Account grant (SG007-115) be extended to December 31, 2011; and

Whereas, the Metropolitan Council has placed on its Community Development Committee agenda of September 21, 2009, consideration of the request of the City of Minneapolis for extension of the Longfellow Station grants;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council expresses its full support of the requested Livable Communities Program grant extensions for the Longfellow Station Project, and expresses confidence that the pollution remediation activities will be completed by September 30, 2010, and that the Longfellow Station Project will be substantially completed by December 31, 2011; and authorizes the proper City officials to execute grant, subrecipient and/or disbursement and related documents for these grant extensions.

Adopted 9/18/2009.

Absent - Samuels.

Comm Dev & W&M/Budget - Your Committee, having under consideration receipt of Tax Credit Assistance Program Funds awarded by the Minnesota Housing Finance Agency, now recommends that the proper City officers be authorized to accept and appropriate awards for the following projects, and to execute loans, subrecipient and/or disbursement and related agreements for these grants:

- a) Audubon Crossing (Lowry Apartments)-2510 Polk St NE - \$1,098,199;
- b) Creekside Commons-5400-5412 Stevens Ave S - \$1,253,590;
- c) Near North Recap- scattered sites North -\$881,750.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation in the Department of Community Planning and Economic Development by \$3,233,539 to reflect the receipt of funds, and increasing the revenue budget.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/18/2009.

(Published 9/22/2009)

RESOLUTION 2009R-422
By Goodman and Ostrow

Amending the 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development Agency in the Grants Federal Fund (01300-89000220) by \$3,233,539 and increasing the revenue source (01300-89000900-32100) by \$3,233,539.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/18/2009.

(Published 9/22/2009)

The HEALTH, ENERGY & ENVIRONMENT Committee submitted the following reports:

HE&E – Your Committee, having under consideration Mayoral and City Council appointments to the Civil Rights Commission (11 vacancies), now recommends that the following applicants be sent forward without recommendation:

Victoria Balko
Johnny Chappell
Larry Hiscock
Barbara Isaacman, Attorney
Salima Khakoo, Attorney
Jada Hansen

Marla Aclima Khan Almen
Matthew Maslowski
Michael McHugh
Beth Megas
Roxanne Peyton
Cecilia Rodriguez-Melendez
Brandon Royce-Diop
Lynne Torgerson, Attorney
Michael Werner
Jesse Robert Winkler

Re-Applicants

Kenneth Brown
Andrew Hauer
Allen Kathir
John Oberreuter.

Benson moved to substitute the following report for the above report. Seconded.

Adopted by unanimous consent.

Absent - Samuels.

HE&E – Your Committee, having under consideration Mayoral and City Council appointments (11 vacancies) to the Civil Rights Commission, now recommends approval of the following appointments and reappointments:

Mayoral

Barbara Isaacman, Ward 5 (Attorney), to expire August 31, 2012

Salima Khakoo, Ward 4 (Attorney), to expire August 31, 2012

Matthew Maslowski, Ward 7, to fill the unexpired term of Christina Hilleary to expire August 31, 2011

Michael McHugh, Ward 5, to expire August 31, 2012

Cecilia Rodriguez-Melendez, Ward 9, to fill the unexpired term of Vladimir Monroe to expire August 31, 2010

Jada Hansen, Ward 11, to fill the unexpired term of Valorie Jones to expire August 31, 2011

City Council

Marla Aclima Khan Almen, Ward 13, to expire August 31, 2012

Roxanne Peyton, Ward 2, to expire August 31, 2012

Jesse Robert Winkler, Ward 7, to fill the unexpired term of Robert Simon to expire August 31, 2010

Reappointments

John Oberreuter, Ward 13, to expire August 31, 2012

Andrew Hauer, Ward 7, to expire August 31, 2012.

Adopted 9/18/2009.

Absent - Samuels.

The HEALTH, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

HE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend Contract #24189 with Pat Neska and Associates to increase the amount by \$12,000, for a new contract total of \$212,000, to complete payments for contracted School Based Clinic billing services through August 31, 2009.

Adopted 9/18/2009.

Absent - Samuels.

HE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit a grant application to the State of Minnesota, Department of Health, seeking \$25,000 for temporary lead-safe housing for families displaced by lead hazard reduction activities.

Adopted 9/18/2009.

Absent - Samuels.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:

IGR - Your Committee recommends passage of the accompanying resolution requesting property tax relief under Minnesota Statutes for property damaged and/or destroyed by the disaster that occurred on August 19, 2009 in the City of Minneapolis.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/18/2009.

(Published 9/22/2009)

Resolution 2009R-423, requesting property tax relief under Minnesota Statutes, sections 273.1231 through 273.1235, for property damaged by the disaster that occurred on August 19, 2009, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-423

By Hodges

Requesting Tax Relief for Damaged/Destroyed Property.

Whereas, the City of Minneapolis experienced a disaster on Wednesday, August 19, 2009; and
Whereas, said disaster did cause extensive property damage to buildings in the City of Minneapolis; and

Whereas, the City of Minneapolis has been declared a disaster area by a Declaration of a Local Emergency declared pursuant to Minnesota Statutes, section 12.29 and City ordinance (MCO 128.50); and

Whereas, Minnesota Statutes, sections 273.1231 through 273.1235, provides for tax relief for properties damaged by a disaster upon application to the Governor of the State of Minnesota and the State Executive Council; and

Whereas, the minimum requirements of the aforementioned statutes have been met as demonstrated in the attached disaster survey;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis does hereby request property tax relief under Minnesota Statutes, sections 273.1231 through 273.1235, for property damaged by the disaster that occurred on August 19, 2009, and identified in the disaster survey.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/18/2009.

IGR - Your Committee recommends that the City's Fiscal Year 2010 Federal Legislative Agenda, adopted February 20, 2009, be amended by deleting existing Universal Health Care Policy Initiative language and inserting new language to read as follows:

Universal Health Care

~~The City supports legislation that will ensure that all residents have access to health care. Congress should develop legislation that provides a health care program that is available regardless of a person's economic standing and includes preventative, emergency and mental health services.~~

The City supports a meaningful health care reform bill, based on the principles adopted by Council on March 28, 2008, with special emphasis on the following:

- Supports provisions which strengthen public health and prevention;
- Includes American Indian urban residents and lawfully residing immigrants in having health care coverage and access to health care, including geographic and linguistic access; and
- Advocates for further work in the following principle areas which are inadequately represented in current key proposals:
 - Health care systems are made affordable for patients and other payers by controlling both administrative and clinical costs;
 - Establishment of a comprehensive benefit set (primary and preventive care, physical and mental health, substance abuse, dental and medications); and
 - A simplified system in which patients can easily understand and use.

Hofstede moved to amend the first bullet point of the report by adding language to read as follows:

- Supports provisions which strengthen public health and prevention. Government should be a partner in helping people take responsibility for their own health behaviors using strategies such as: Health Education; Changing Community Norms; and Making the Healthy Choice the Easy Choice.

Seconded.

Adopted upon a voice vote.

Absent - Samuels.

The report, as amended, was adopted 9/18/2009.

Absent - Samuels.

The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 266 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Rental Halls*, amending regulations related to rental halls, now recommends that said ordinance be **sent forward without recommendation**.

Hofstede moves to amend the ordinance by adding a new Section 266.55, to read as follows:

266.55. Public Hearing Required. Upon the filing of the application, the director of licenses and consumer services shall refer the application to its standing committee on licenses for consideration and the conduct of a hearing thereon. The director of licenses and consumer services shall notify by mail all residents, to the extent such notice is feasible, and property owners within three hundred (300) feet of the proposed rental hall of the time and place at which such application shall be considered by the committee. Said notice shall go to all owners of record of property as identified in the records of the Hennepin County Department of Property Taxation. The director shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing. Seconded.

Adopted upon a voice vote.

Absent - Samuels.

Ostrow moved that the report be amended by deleting the language “sent forward without recommendation” and inserting in lieu thereof “given its second reading for amendment and passage”. Seconded.

Adopted by unanimous consent.

Absent - Samuels.

The report, as amended, was adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-092 amending Title 13, Chapter 266 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Rental Halls*, amending Sections 266.10, 266.20, 266.50, 266.55, and 266.60 to amend regulations related to rental halls, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-092
By Schiff
Intro & 1st Reading: 7/17/2009
Ref to: PS&RS
2nd Reading: 9/18/2009

Amending Title 13, Chapter 266 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Rental Halls.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 266.10 of the above-entitled ordinance be amended to read as follows:

266.10. Definitions.

Rental hall. ~~A building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person for a public or private event in exchange for the payment of a fee or other consideration. Also known as reception or meeting hall or a banquet hall. A building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person or group for a private event or function, that is not open to the general public, whether or not a fee is charged.~~

Section 2. That Section 266.20 of the above-entitled ordinance be amended to read as follows:

266.20. License required. No person shall operate a rental hall without first having obtained a rental hall license in accordance with this chapter. No rental hall license shall be required if:

- (1) The premises are licensed under Title 14 of this Code;
- (2) A theater is operating within the scope of a license issued pursuant to Chapter 267, article XVI, of this Code;
- (3) The rental hall has a legal occupancy of fewer than fifty (50) persons, and is in compliance with the occupancy limits;
- (4) The purpose of the event is for bona fide religious activities such as those sponsored by a religious association organized pursuant to Minnesota Statutes Chapter 315 and in compliance with Zoning regulations;
- (5) The purpose of the event is for bona fide political activities such as those sponsored by a political organization registered pursuant to Minnesota Statutes section 10A.14.
- (6) If the premises are on the campus or in the facilities of a bona fide elementary or secondary school, vocational or trade school, college or university, church, or buildings under the control of the Minneapolis Park Board or the City of Minneapolis.

Section 3. That Section 266.50 of the above-entitled ordinance be amended by adding a new subsection (9) to read as follows:

266.50. Application required/contents of application. An applicant for a rental hall license shall make application on the forms furnished by the license division and shall provide all other information deemed necessary by the director, including:

- (9) A business plan is required for approval of this license that contains the following elements:
- a. Hours of operation for the licensed premises as allowed by zoning;
 - b. A security plan that describes the security features, including personnel and equipment, that the applicant will employ and how they will be utilized;
 - c. Description of how the applicant will maintain the orderly appearance and operation of the premises with respect to litter and noise;
 - d. Such other reasonable and pertinent information as the city council may require;
 - e. An applicant shall promptly notify the director, in writing, of any amendment to the submitted business plan.

Section 4. That Chapter 266 of the Minneapolis Code of Ordinances be amended by adding thereto a new section 266.55 to read as follows:

266.55. Public Hearing Required. Upon the filing of the application, the director of licenses and consumer services shall refer the application to its standing committee on licenses for consideration and the conduct of a hearing thereon. The director of licenses and consumer services shall notify by

mail all residents, to the extent such notice is feasible, and property owners within three hundred (300) feet of the proposed rental hall of the time and place at which such application shall be considered by the committee. Said notice shall go to all owners of record of property as identified in the records of the Hennepin County Department of Property Taxation. The director shall also notify the appropriate neighborhood group(s) and business association(s) of the time and place of the hearing.

Section 5. That Section 266.60 of the above-entitled ordinance be amended by adding new subsections 12 and 13 to read as follows:

266.60. Operating requirements, regulations. Rental halls licensed under this chapter shall be operated in conformance with the following requirements:

(12) Pre-purchased tickets and ticket sales at the door are not allowed. Non-profit events (i.e.: political fundraiser or a registered charitable program in compliance with all state statutes) held at a rental hall are allowed to be open to the general public and have pre-purchased tickets and ticket sales at the door.

(13) Alcohol is allowed to be present at a rental hall under the following conditions:

a. It is provided by the host of the event or function for the guests and it is not sold to guests or anyone else; or

b. It is provided with a temporary alcohol license issued by the City of Minneapolis.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, as follows:

a. deleting language to allow a provision to require repair of detached steps leading to the public way; and

b. amending the requirement from a 7 1/2 foot ceiling height to 7 feet to be consistent with the State Adopted Building Code requirements,

now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-093 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to *Housing: Maintenance Code*, amending Sections 244.550 and 244.800 to delete language to allow a provision to require repair of detached steps leading to the public way; and to amend the requirement from a 7 1/2 foot ceiling height to 7 feet, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-093

By Samuels

Intro & 1st Reading: 8/14/2009

Ref to: PS&RS

2nd Reading: 9/18/2009

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 244.550 of the above-entitled ordinance be amended to read as follows:

244.550. Stairways and porches. (a) *[Construction and maintenance generally; live load.]* Every inside and all outside stairways ~~attached to a dwelling~~, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in a professional state of maintenance and repair. Normal

use live load shall be the uniform load as set out in the state building code, one hundred (100) pounds per square foot.

(b) *[Handrails.]* Every inside and all outside stairways ~~attached to a dwelling~~ that have four (4) or more risers shall have at least one handrail, and all such stairways which are forty-four (44) inches or more in width, or which are open on both sides, shall have a handrail on each side. If a stairway is open on one side, the required handrail shall be placed on the open side, when required by the director of inspections. Stairways required to be more than eighty-eight (88) inches in width shall be provided with an intermediate handrail. However, only one handrail shall be required when such an outside stairway serves a one- or two-family dwelling and the stairway is not more than forty-two (42) inches above the adjacent surface. All handrails shall be not less than thirty (30) inches nor more than thirty-four (34) inches vertically above the nose of the stair treads or stairway platforms.

(c) *Exception:* Outside stairways attached to owner-occupied single-family dwellings are exempt from the handrail requirements of this section unless such outside stairways are more than forty-two (42) inches above the adjacent surface or are remodeled pursuant to a permit as required by Chapter 89 of this Code of Ordinances.

(d) *[To be kept clean of snow, etc.]* Required means of egress that are exposed to the elements shall be kept clear at all times of rubbish, snow, ice or other obstructions when such egress serves a multiple dwelling.

Section 2. That Section 244.800 of the above-entitled ordinance be amended to read as follows:

244.800. Ceiling height. At least one-half of the floor area of every habitable room shall have a ceiling height of seven ~~and one-half (7 1/2)~~ (7) feet. However, in dwellings one story and attic in height, attic type bedrooms may be located above the first floor of each dwelling unit if such attic type bedrooms have a minimum ceiling height of not less than seven (7) feet over fifty (50) per cent of its floor area and shall be provided with a stairway in full compliance with the building code. The floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Bottle House Wine & Spirits, 150 2nd Av S, for an Off-Sale Liquor License, subject to conditions.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-424, the application of Bottle House Wine & Spirits, 150 2nd Av S, for an Off-Sale Liquor License, subject to conditions, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-424

By Samuels

Granting the application of Bottle House Wine & Spirits, 150 2nd Av S, for an Off-Sale Liquor License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Bottle House Wine & Spirits, dba Bottle House Wine & Spirits, 150 2nd Av S, for an Off-Sale Liquor License (new ownership) to expire April 1, 2010, subject to the following conditions:

1. The applicant shall not sell fortified wines of a nature which are other than premium brands.

2. The applicant shall endeavor to operate the premises in a manner that will discourage panhandling in and around the premises and shall cooperate with the City of Minneapolis in the implementation of measures designed to discourage panhandling and loitering.

3. The applicant states that bottles of beverage alcohol smaller than one (1) pint or metric equivalent will not be openly displayed so as to be visible from the front of the store, nor would they be visible upon walking up to the cash register counter. The applicant further stipulates that transactions involving quantities smaller than one pint will be check or credit card only.

4. The applicant shall not sell single cans or bottles of beer or malt liquor unless the container holds more than 16 ounces.

5. The applicant shall not accept change in excess of \$2.50 for any one purchase.

6. The business will clean the property of litter and trash daily including the area within 100 feet of the property lines.

7. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Lyndale, 2937 Lyndale Av S, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-425, the application of Lyndale, 2937 Lyndale Av S, for an On-Sale Liquor Class E with Sunday Sales License, subject to conditions, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-425

By Samuels

**Granting the application of Lyndale, 2937 Lyndale Av S, for an
On-Sale Liquor Class E with Sunday Sales License, subject to conditions.**

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by The Lyndale, dba Lyndale, 2937 Lyndale Av S, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire July 1, 2010, subject to the following conditions:

1. Menu service shall be available until 12:00 a.m. or to within one hour of closing, whichever is earlier.

2. The bar shall not contain more than 14 seats/stools and shall have full menu service available.

3. The establishment shall provide to Licensing all copies of their Efile reports made to the Minnesota Department of Revenue on a monthly basis for the first year of operation and shall maintain a minimum food sales percentage of 60%.

4. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the application of Steves Stump Removal, dba Steves Stump Removal, 12051 70th St, Little Falls, for a Tree Servicing License (new business) to expire February 1, 2010, now recommends that said license be granted, subject to the following conditions:

a. The licensee three service business shall be limited to stump grinding and area clean up only. The licensee does not have a Certified Arborist and is restricted from any other type of tree service activities. The licensee must also comply with other requirements of tree service license.

b. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the application of Kuu Ruay LLC, dba Koyi Sushi Too, 2111 E Franklin Av, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2010, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the application of ZHC Inc, dba Wasabi Fusion Cuisine, 903 Washington Av S, for an On-Sale Liquor Class E with Sunday Sales License (expansion of premises to include outdoor seating area) to expire April 1, 2010, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the application of Jaeger Corporation, dba Clubhouse Jaeger, 923 Washington Av N, for an On-Sale Liquor Class C-1 with Sunday Sales License (expansion of premises for outdoor seating area) to expire January 1, 2010, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/22/2009.

(Published 9/24/2009).

Resolution 2009R-426, granting applications for Liquor, Wine and Beer Licenses, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-426

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 273742):

Off-Sale Liquor, to expire October 1, 2010

Mourado's Liquors Inc, dba Mourado's Liquors, 2426 2nd St NE

Wallis Inc, dba Ken and Norm's Liquor, 4801 Chicago Av

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2010

Rail Minneapolis LLC, dba Brass Rail, 422 Hennepin Av (new ownership from 422 Hennepin Inc)

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2010

Rock Bottom of Minneapolis Inc, dba Rock Bottom Brewery, 800 LaSalle Av, downstairs

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2010

Hexagon Inc, dba Hexagon, 2600 27th Av S

On-Sale Liquor Class C-2 with Sunday Sales, to expire September 20, 2009

La Que Buena Inc, dba La Que Buena, 1609 E Lake St (temporary expansion of premises September 20, 2009, rear parking lot)

On-Sale Liquor Class E with Sunday Sales, to expire September 19, 2009

Spoonriver Ltd, dba Spoonriver, 750 S 2nd St, 1st floor (temporary expansion of premises September 19, 2009, 10:00 a.m. to 1:00 p.m.)

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2010

Haza Charters Inc, dba 19 Bar, 19 W 15th St (new manager)

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2010

Masa LLC, dba Masa, 1070 Nicollet Mall

On-Sale Wine Class A with Strong Beer, to expire April 1, 2010

Augsburg College, dba Augsburg College, 2211 Riverside Av (new business)

Temporary On-Sale Wine

Southern Theater, dba Southern Theater, 1420 Washington Av S (September 25, 2009, 6:00 p.m. to 9:00 p.m., City Pages Fundraiser Wine Tasting, International Market Square.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/22/2009

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-427, granting applications for Business Licenses, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-427

By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of September 18, 2009 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No (273742):

Car Wash; Caterers; Farm Produce Permits; Food Manufacturer; Restaurant; Food Shelf; Short-Term Food Permit; Sidewalk Cafe; Fuel Dealer; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Motor Vehicle Immobilization Service; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class B; Commercial Parking Lot Class A; Plumber; Residential Specialty Contractor; Secondhand Goods Class B; Antique Dealer Class B; Solid

Waste Hauler; Suntanning Facility; Taxicab Vehicle; Tobacco Dealer; Combined Trades; Tree Servicing; Pawnbroker Class A.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-428, granting applications for Gambling Licenses, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-428

By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petr No 273742):

Gambling Exempt

Cancer Benefit Foundation of Minnesota, dba Cancer Benefit Foundation of Minnesota, 1900 Rush Lake Trail, Suite 422, New Brighton (Raffle September 17, 2009 at Zurha Shrine Center & Mansion)

Downtown Ducks Unlimited, dba Downtown Ducks Unlimited, 333 S 7th St, Suite 440 (Raffle September 17, 2009 at Nicollet Island Pavilion)

Church of St. Austin, dba Church of St. Austin, 4050 Upton Av N (Bingo, Raffles and Pulltabs September 19, 2009, 5:30 p.m. through September 20, 2009, 5:30 p.m.)

Church of the Annunciation, dba Church of the Annunciation, 509 W 54th St (Raffle September 18 - 20, 2009)

Finnegans Community Fund, dba Finnegans Community Fund, 619 S 10th St (Raffle September 24, 2009 at 600 Hennepin Block E)

Faiths Lodge, dba Faiths Lodge, 818 W 46th St (Raffle September 26, 2009 at Epic Event Venue, 110 N 5th St)

Thrivent Financial for Lutherans, dba Thrivent Financial for Lutherans, 625 4th Av S (Raffle September 28, 2009)

Holy Rosary Church, dba Holy Rosary Church, 2424 18th Av S (Raffle October 4, 2009)

Childrens Home & Family Services, dba Childrens Home Society & Family Services, 1605 Eustis St, St. Paul (Raffle October 11, 2009 at Cafe & Bar Lurcat, 1624 Harmon Pl)

Thrivent Financial for Lutherans, dba Thrivent Financial for Lutherans, 625 4th Av S (Raffle October 26, 2009)

Minnesota International Center, dba Minnesota International Center, 711 E River Pkwy (Raffle October 30, 2009 at McNamara Alumni Center, University of Minnesota)

Greater Twin Cities Youth Symphonies, dba Greater Twin Cities Youth Symphonies, 528 Hennepin Av Suite 404 (Raffle November 8, 2009 at Orchestra Hall, 1111 Nicollet Av)

Doing Good Together, dba Doing Good Together, 6141 16th Av S (Raffle November 20, 2009 at Dorsey & Whitney, 50 S 6th St)

Cystic Fibrosis Foundation, dba Cystic Fibrosis Foundation, 8011 34th Av S Suite 116, Bloomington (Raffle November 21, 2009 at Hyatt Regency Minneapolis)

Breck School, dba Breck School, 123 Ottawa Av N (Raffle April 16, 2010 at Graves 601 Hotel, 601 1st Av N)

Mixed Blood Theatre Company, dba Mixed Blood Theatre Company, 1501 S 4th St (Raffle May 24, 2010 at Mixed Blood Theatre).

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Motor Vehicle Repair Garage License held by Hayford Auto Repair, 3403 Cedar Av.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-429, approving License Settlement Conference recommendations relating to the Motor Vehicle Repair Garage License held by Hayford Auto Repair, 3403 Cedar Av, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-429

By Samuels

Approving License Settlement Conference recommendations relating to the Motor Vehicle Repair Garage License held by Hayford Auto Repair, 3403 Cedar Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on July 13, 2009 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee failed to comply with Minneapolis Zoning Code 530.90 (failure to complete the required site improvements in a timely manner); and failure to pay administrative citations in violation of Minneapolis Code of Ordinance 259.15;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. The administrative fines, in the amount of \$7,000, will be stayed under the following conditions:

a. \$2,000 of the fine will be due and payable on September 1, 2009. \$1,000 of that fine will be waived if the entire site plan improvements are completed as determined by Minneapolis Zoning.

b. All site plan improvements, as specified in the plan and follow up correspondence from Inspector Roberson, should be completed by September 1, 2009.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the property located at 2540 12th Av S; and the Inspections Division having determined that the property meets the definition of a nuisance under the meaning of Chapter 249 of the Minneapolis Code of Ordinances; and a Notice of the Director's Order to Demolish the property having been issued and the Nuisance Condition Process Review Panel having issued Findings of Fact, Conclusions and a Recommendation that the Director's Order be upheld, now recommends that the Order for Demolition be stayed, and that the proper City officers be authorized to execute a Restoration Agreement with the property owner.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the property located at 139 E 27th St; and the Inspections Division having determined that the property meets the definition of a nuisance under the meaning of Chapter 249 of the Minneapolis Code of Ordinances; and a Notice of the Director's Order to Demolish the property having been issued and the Nuisance Condition Process Review Panel having issued Findings of Fact, Conclusions and a Recommendation that the Director's Order be sent forward without recommendation, now recommends that the Order for Demolition be stayed, and that the proper City officers be authorized to execute a Restoration Agreement with the property owner.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the property located at 3405 Chicago Av S; and the Inspections Division having determined that the property meets the definition of a nuisance under the meaning of Chapter 249 of the Minneapolis Code of Ordinances; and a Notice of the Director's Order to Demolish the property having been issued and the Nuisance Condition Process Review Panel having issued Findings of Fact, Conclusions and a Recommendation that the Director's Order be upheld, now recommends that the Order for Demolition be stayed, and that the proper City officers be authorized to execute a Restoration Agreement with the property owner, subject to the condition that the property is legally conveyed to the prospective new owner and that the new owner enter into a Restoration Agreement within three weeks.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by John T. Jensen II/Mary Jensen for the property located at 729 E 16th St, and a hearing having been held before Administrative Hearing Officer Fabian Hoffner who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910, 244.1930 and 244.1940 of the Minneapolis Code of Ordinances relating to conduct on licensed premises, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 9/18/2009.

Absent - Samuels.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Raymond Scherbing for the property located at 2600 Morgan Av N, and a hearing having been held before Administrative Hearing Officer Fabian Hoffner who issued Findings of Fact, Conclusions and a Recommendation that the rental dwelling license be revoked, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910, 244.1930 and 244.1940 of the Minneapolis Code of Ordinances relating to conduct on licensed premises, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 9/18/2009.

Absent - Samuels.

The PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a grant award of \$4,000 and execute a grant agreement with the Minnesota Institute of Public Health for enforcement of underage drinking laws in the 2nd Precinct to address "party houses" in the University of Minnesota area. Further, passage of the accompanying resolution appropriating \$4,000 to the Police Department.

Adopted 9/18/2009.

Absent - Samuels.

SEPTEMBER 18, 2009

RESOLUTION 2009R-430
By Samuels and Ostrow

Amending The 2009 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants –Federal Fund (01300-4002110) by \$4,000 and increasing the Revenue Source (01300-4002110-321010) by \$4,000.

Adopted 9/18/2009.

Absent - Samuels.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration unpaid assessments for snow and ice removal from public sidewalks, and having held a public hearing thereon, now recommends passage of the accompanying resolution adopting and levying the assessments for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 273752.

Colvin Roy moved that the resolution be amended by adding the following changes to the Sidewalk Snow and Ice Removal Assessment List:

That the proposed assessment for the property located at 4629 28th Ave S in the amount of \$84.00 be waived.

That the proposed assessment for the property located at 5100 40th Ave S be reduced by one-half, from \$336.00 to \$168.00.

That the proposed assessment for the property located at 3455 Logan Ave N in the amount of \$84.00, be waived.

That the proposed assessment for the property located at 4259 Penn Ave N be reduced by one-half, from \$420.00 to \$210.00.

That the proposed assessment for the property located at 4758 Aldrich Ave N be reduced by one-half, from \$334.50 to \$167.25.

That the proposed assessment for the property located at 3320 19th Ave S be reduced by one-half, from \$84.00 to \$42.00. Seconded.

Adopted upon a voice vote.

Absent - Samuels.

The report, as amended, was adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-431, adopting and levying the assessments for the unpaid charges for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 273752, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-431
By Colvin Roy

Adopting and levying the assessments for the unpaid charges for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 273752.

Whereas, a public hearing was held on September 1, 2009 in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments as shown on the

proposed assessment rolls on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessment for the property identified as 1317 18th St E, Property ID 26-029-24-43-0196, in the amount of \$337.50, be waived;

That the proposed assessment for the property identified as 2928 43rd Ave S, Property ID 31-029-23-44-0070, be reduced by one-half, from \$168.00 to \$84.00;

That the proposed assessment for the property identified as 1923 44th Ave N, Property ID 04 029 24 22 0080, be reduced by one-half, from \$85.50 to \$42.75;

That the proposed assessment for the property identified as 3101 51st St E, Property ID 18-028-23-32-0074, be reduced by one-half, from \$42.00 to \$21.00;

That the proposed assessment for the property identified as 2108 Elliot Ave S, Property ID 35-029-24-21-0018, be reduced by one-half, from \$167.25 to \$83.62;

That the proposed assessments for the property identified as 3157 Elliot Ave S, Property ID 02-028-24-24-0081, in the amounts of \$42.00 and \$251.10, be waived;

That the proposed assessment for the property identified as 3557 Fremont Ave N, Property ID 09-029-24-12-0001, in the amount of \$271.00, be waived;

That the proposed assessment for the property identified as 5345 Girard Ave S, Property ID 16-028-24-43-0082, be reduced by three-fourths, from \$167.70 to \$41.92;

That the proposed assessment for the property identified as 4318 Humboldt Ave N, Property ID 04-029-24-12-0096, be reduced by three-fourths, from \$168.00 to \$42.00;

That the proposed assessment for the property identified as 4629 28th Ave S, Property ID 13-028-24-11-0042, in the amount of \$84.00, be waived;

That the proposed assessment for the property identified as 5100 40th Ave S, Property ID 18-028-23-42-0098, be reduced by one-half, from \$336.00 to \$168.00;

That the proposed assessment for the property identified as 3455 Logan Ave N, Property ID 09-029-24-22-0002, in the amount of \$84.00, be waived;

That the proposed assessment for the property identified as 4259 Penn Ave N, Property ID 05-029-24-11-0212, be reduced by one-half, from \$420.00 to \$210.00;

That the proposed assessment for the property identified as 4758 Aldrich Ave N, Property ID 12-118-21-31-0030, be reduced by one-half, from \$334.50 to \$167.25;

That the proposed assessment for the property located at 3320 19th Ave S, Property ID 01-028-24-23-0132, be reduced by one-half, from \$84.00 to \$42.00.

That the proposed assessments against the affected properties on the list dated August 3, 2009 set forth in Petn No 273752 in the total amount of \$137,114.20 and as shown on the proposed assessment rolls on file in the office of the City Clerk, be revised to \$134,974.19 as a result of the above reductions, and hereby are adopted and levied.

Be It Further Resolved that the assessments in the total amount of \$134,974.19 be collected in one (1) installment on the 2010 real estate tax statements with interest.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted 9/18/2009.

Absent - Samuels.

T&PW - Your Committee, having under consideration the graffiti abatement service contract, now recommends that the proper City officers be authorized to increase Contract No 23676 with Sani-Masters, Inc. by \$200,000, for a new not-to-exceed amount of \$700,000, to provide for continued graffiti abatement on sensitive and/or high surfaces. No additional appropriation required.

Adopted 9/18/2009.

Absent - Samuels.

T&PW - Your Committee, having under consideration construction of the new Fridley Chemical Building, now recommends that the proper City officers be authorized to execute Change Order No 1

to Contract C-25623 with Magney Construction, Inc., increasing the contract by \$260,959.21, for a revised contract total of \$5,668,959.21, to allow for additional work not included in the original scope of the project. No additional appropriation required.

Adopted 9/18/2009.

Absent - Samuels.

T&PW - Your Committee recommends passage of the accompanying resolution authorizing the proper City officers to enter into a Limited Use Permit with the State of Minnesota Department of Transportation for a combined non-motorized pedestrian/bicycle trail within state right-of-way along 3rd Ave N from Royalston Ave N to 7th St N.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-432, authorizing the proper City officers to enter into a Limited Use Permit for a combined pedestrian / bicycle trail within State right-of-way along 3rd Ave N from Royalston Ave N to 7th St N, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-432

By Colvin Roy

Authorizing the proper City officers to enter into a Limited Use Permit for a combined pedestrian / bicycle trail within State right-of-way along 3rd Ave N from Royalston Ave N to 7th St N.

Whereas, the City of Minneapolis supports the construction of intermodal facilities for pedestrians and bicycles; and

Whereas, the construction of a combined pedestrian and bicycle trail along 3rd Ave N requires a Limited Use Permit for a non-motorized recreational trail within the State right-of-way from Royalston Ave N to 7th St N; and

Whereas, the Limited Use Permit will include a parking area for bicycles abutting Ramp A; and

Whereas, Hennepin County has been awarded Federal American Recovery and Reinvestment Act (ARRA) grant funds for the reconstruction of 3rd Ave N between Royalston Ave and 7th St N;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to enter into a Limited Use Permit with the State of Minnesota Department of Transportation for a Combined Pedestrian / Bicycle Trail within State right-of-way along 3rd Ave N from Royalston Ave N to 7th St N for the following purpose: To operate and maintain a combined pedestrian / bicycle trail within the State right-of-way of I-394.

Adopted 9/18/2009.

Absent - Samuels.

T&PW - Your Committee reports that in accordance with Chapter 431 of the Minneapolis Code of Ordinances passed August 14, 2009 relating to imposing a street lighting fee upon benefited parcels that are otherwise exempt from ad valorem taxation (said Chapter 431.20 determining the City finds it to be in the interest of all citizens that the establishment, construction, operation, and maintenance of street lighting promotes the general health, safety, and well-being of the citizenry and provides a benefit to each and every parcel within the City, and further that the cost of street lighting operations should be offset by imposing a street lighting fee upon benefited parcels that are otherwise exempt from ad valorem taxation), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting Project No 1337 for assessment of the operation costs on street lighting for the convenience and safety of the whole City of Minneapolis area.

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in the City of Minneapolis	1,640	
Total assessable square footage		40,550,443
Annual cost per square foot		\$0.00392

Your Committee recommends that a public hearing be held by the Transportation and Public Works Committee on October 20, 2009, in accordance with the provisions of Chapter 431 of the Minneapolis Code of Ordinances, to consider the establishment of said proposed Street Lighting Project No 1337.

Adopted 9/18/2009.

Absent - Samuels.

T&PW - Your Committee reports that in accordance with procedures set out at Minnesota Statute 429.061 and authority derived from special legislation applying to the City of Minneapolis, the City finds it to be in the interest of all citizens that the maintenance of the City street system promotes the general health, safety, and well-being of the citizenry and provides a benefit to each and every parcel within the City and further that the cost of street maintenance should be offset by imposing a street maintenance assessment upon benefited parcels that are otherwise exempt from ad valorem taxation. Further, the City Engineer has presented to your Committee the details required by Chapter 429 in connection with Street Maintenance District No 1 for assessment of the maintenance costs on Minneapolis streets for the convenience and safety of the whole City of Minneapolis area.

A summary of the facts relative to this assessment is as follows:

Number of assessable parcels in the City of Minneapolis	1,640
Total assessable square footage	40,550,443
Annual cost per square foot	\$0.02525

Your Committee recommends that a public hearing be held by the Transportation and Public Works Committee on October 20, 2009, in accordance with the provisions of Chapter 429 of the Minneapolis Code of Ordinances, to consider the establishment of said proposed Street Maintenance District No 1.

Adopted 9/18/2009.

Absent - Samuels.

T&PW - Your Committee, having under consideration the LynLake Municipal Parking Lots Project and establishment of proceedings for assessment of project costs and expenses and the establishment of impact fees for businesses that have bought into the lots to meet parking requirements, now recommends:

a) Passage of the accompanying resolution establishing the special assessment proceedings for payable 2010 for the LynLake Parking Facilities;

b) Establishment of impact fees for the LynLake Lots for the period of September 1, 2009 through August 31, 2010 at \$940.00 per stall for businesses that had licenses/permits to expand their businesses, or approved plans by the City to expand their businesses as of September 1, 1998, and \$1,885 per stall for new businesses; and

c) Setting a public hearing to be held on October 20, 2009, to consider the annual assessment.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-433, establishing the special assessment proceedings for payable 2010 for the LynLake Parking Facilities, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-433

By Colvin Roy

Establishing the special assessment proceedings for payable 2010 for the LynLake Parking Facilities.

Whereas, Minnesota Statutes, Section 459.14 (Automobile Parking Facilities) authorizes the City of Minneapolis to acquire property interests, construct parking facilities, operate and maintain parking facilities, and finance parking facilities through special assessments levied against benefited properties; and

Whereas, the City of Minneapolis has approved the establishment of parking facilities in the LynLake area, as more particularly described in Resolutions 98R-129 passed April 24, 1998 and 98R-186 passed May 22, 1998 and in Petn Nos 263708 and 263799 on file in the office of the City Clerk; and

Whereas, the City Engineer has recommended the amount to be specially assessed for payable 2010 to be \$52,905.39, all as contained in Petn No 273752 on file in the office of the City Clerk;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proper City officers are hereby directed to prepare proposed special assessments in the total amount of \$52,905.39 and to give notice of a public hearing to be held by the Transportation and Public Works Committee on October 6, 2009, in accordance with Minnesota Statutes, Section 459.14 and Minnesota Statutes, Chapter 429, to consider the amount proposed to be assessed to each benefited property for payable 2010.

Adopted 9/18/2009.

Absent - Samuels.

T&PW - Your Committee, having received final costs for the Areaway Abandonment and Removal Project at the following properties:

1. 821 Lake St W, PID 04-028-24-11-0045, legally described as: the West 42 feet of Lots 11 and 12, Block 3, "Calhoun Park", Hennepin County, Minn; in the amount of \$452.23; and

2. 2957 Lyndale Ave S, PID 34-029-24-33-0105, legally described as: Lot 8, Block 9, "Excelsior Addition to Minneapolis", Hennepin County, Minn; in the amount of \$6,954.72;

all in accordance with the Lake St W (Dupont Ave S to Blaisdell Ave S and Lyndale Ave S from W 29th St to W 31st St) Street Reconstruction and Streetscape Project, Special Improvement of Existing Street No 6708, as ordered by Resolution 2007R-151, passed March 30, 2007, now recommends that the City Engineer be directed to prepare an Areaway Abandonment and Removal Assessment against the benefited properties.

Your Committee further recommends that a public hearing be held by the Transportation and Public Works Committee on November 5, 2009 in accordance with Chapter 8, Sections 12 and 13, of the Minneapolis City Charter to consider the amount proposed to be assessed to the benefited properties.

Adopted 9/18/2009.

Absent - Samuels.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting the donation of services from Wolff Motel, now Modern Climate, for creative services in the development of a new Clean City Logo and Web Promotion Program.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-434, authorizing the Department of Public Works to accept the donation of services from Wolff Motel (now Modern Climate), was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-434
By Colvin Roy and Ostrow

Authorizing the Department of Public Works to accept the donation of services from Wolff Motel (now Modern Climate).

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept the donation of services from Wolff Motel, now Modern Climate, valued in excess of \$80,000, for creative services in the development of a new Clean City Logo and Web Promotion Program.

Adopted 9/18/2009.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the contract for the processing and marketing of recyclables collected in the residential recycling program, now recommends that the proper City officers be authorized to enter into a one-year contract with Allied Recycling Services, to be extended at the sole option of the City for an additional one-year period, under the terms set forth in Petn No 273753.

Adopted 9/18/2009.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute a multi-year agreement with Hennepin County Leasing and Land Management Division for lease management services at a cost not to exceed \$100,000 per year. No additional appropriation required. Funding has been included in the Property Services Operating Budget (Fund 68000, Department 680340).

Adopted 9/18/2009.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration Official Publication No 7110, bids for janitorial service for the Public Service Center, now recommends:

a) Rescinding the May 11, 2009 Council action accepting the low bid of HBM Services, Inc., due to inability to comply with bid requirements; and

b) Acceptance of the bid to Prestige Maintenance, USA LTD, for an estimated annual expenditure of \$90,000, to furnish and deliver janitorial services at the Public Service Center, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 9/18/2009.

Absent - Samuels.

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends that the City Attorney be authorized to amend the current contracts between the City of Minneapolis and the following two vendors for court reporting services:

a) Kirby A. Kennedy & Associates, #C-21990 by increasing the total compensation by an additional \$35,000 and extending the contract term until June 30, 2010; and

b) Depo International (formerly Pat Carl & Associates), #C-22000 by extending the contract term until June 30, 2010.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the current contract with the Council on Crime and Justice to increase the amount of the contract by \$78,588; and to extend the period of performance to March 31, 2010.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) for legal services panels for the City of Minneapolis to provide legal services requiring special expertise, assistance in complex or lengthy litigation, or when a conflict of interest exists for the City Attorney's Office, effective January 1, 2010.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee, having under consideration the list of City positions that are required to file Statement of Economic Interest (SEI), now recommends approval of said list as outlined in the staff report (Petr No 273762).

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals (RFP) for public artist/landscape architect for the 5 Points "Delisi's" Project at 2119 West Broadway.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends approval of the October 2009 utility billing insert on behalf of the Public Works Department providing information about the fall street sweeping and pickup of leaf bags and branches (Petr No 273763).

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing 311 Director, Don Stickney to accept a donation for travel and lodging expenses (not to exceed \$1,500) from Lagan, Inc. to attend a luncheon and workshop and be a panel participant and/or speaker to their prospective west coast customers in Los Angeles, California on October 5th and 6th, 2009.

Adopted 9/18/2009.

Absent - Samuels.

RESOLUTION 2009R-435

By Ostrow

Accepting a donation from Lagan, Inc. for travel and lodging expenses.

Resolved by The City Council of The City of Minneapolis:

That proper City officers be authorized to accept a donation for travel and lodging expenses, not to exceed \$1,500 from Lagan, Inc. to attend a luncheon and workshop on October 5th and 6th, 2009.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing proper City officers to accept a donation for travel expenses from TriTech Corporation and AssetCo (a UK 911 technology company), consisting of economy airfare, meals, lodging and transportation in exchange for 911 Director, Heather Hunt's presentation on the City's response to the I-35W Bridge Collapse at two emergency dispatch center consolidation technology seminars in the United Kingdom during the week of September 28, 2009.

Adopted 9/18/2009.

Absent - Samuels.

RESOLUTION 2009R-436

By Ostrow

Accepting a donation from TriTech Corporation and AssetCo for travel expenses.

Resolved by The City Council of The City of Minneapolis:

That proper City officers be authorized to accept a donation for travel expenses, from TriTech Corporation and AssetCo consisting of economy airfare, meals, lodging and transportation to two emergency dispatch center consolidation technology seminars in the United Kingdom during the week of September 28, 2009.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an amendment to the existing lease at 724B Harding Street N.E., Contract #C-24225, with Mid-City Plaza Partnership to include an additional 3,015 square feet of warehouse storage space for five (5) month term, beginning October 1, 2009 and ending February 28, 2010. Funding for this additional rent payment in the amount of \$2,263 per month (base rent and operating costs) will be charged to the City Clerk/Elections Department operating budget (00100-2600500) with no additional appropriation needed.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee, having under consideration a request from the Park Board to increase the authorized amount of assessments for the 2009 Parkway Paving Program related to Lake of the Isles Parkway, now recommends passage of the accompanying resolutions:

a) Increasing the revised assessment portion of the capital budget by \$255,000 for a revised total of \$415,000 for the 2009 Parkway Paving Program; and

b) Amending Resolution 2008R-546 to increase the assessment bond amount by \$255,000, for the 2009 Parkway Paving Program related to Lake of the Isles Parkway.

Adopted 9/18/2009.

Absent - Samuels.

RESOLUTION 2009R-437

By Ostrow

Amending the 2009 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) Increasing the expense budget appropriation for the 2009 Parkway Paving Program in the Public Works Paving Construction Agency (04100-9010937-801501-PV001) by \$255,000;

b) Increasing the revenue budget for the 2009 Parkway Paving Program in the Public Works Paving Construction Agency (04100-9010937-365001) by \$255,000.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-438, amending Resolution 2008R-546 entitled "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$8,130,000 for certain purposes other than the purchase of public utilities" to increase the assessment bond amounts by \$255,000 for the 2009 Parkway Paving Program related to Lake of the Isles Parkway, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-438

By Ostrow

Amending Resolution 2008R-546 entitled "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$8,130,000 for certain purposes other than the purchase of public utilities", passed December 11, 2008.

Resolved by The City Council of The City of Minneapolis:

That the above entitled Resolution, as amended by resolution 2009R-093, be further amended by increasing the requested amount by ~~\$1,040,000~~ \$255,000 for a revised total of ~~\$9,140,000~~ \$9,395,000. The increase reflects an increase to the assessed portion of the PV001 2009 Parkway Paving Program (PV901), as follows:

PV001 2009 Parkway Paving (PV901) - ~~\$450,000~~ \$160,000 to ~~\$460,000~~ \$415,000.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee recommends passage of the accompanying resolution approving the terms of a 36-month labor agreement with the International Alliance of Theatrical Stage Employees, Local #13, Stagehands Unit; effective January 1, 2009 through December 31, 2011.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-439, approving the terms of a 36-month labor agreement with the International Alliance of Theatrical Stage Employees, Local #13, Stagehands Unit, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-439

By Ostrow

Approving the terms of a collective bargaining agreement with the International Alliance of Theatrical Stage Employees, Local #13, Stagehands Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the International Alliance of Theatrical Stage Employees, Local 13, Stagehands Unit (Petn No 273766), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee, to whom was referred an ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, by adding a new section 20.477 creating a retirement incentive for sworn police and fire employees; and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 9/18/2009.

Absent - Samuels.
Approved by Mayor Rybak 9/18/2009.
(Published 9/22/2009)

Ordinance 2009-Or-094 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, adding a new section 20.477 to create a retirement incentive for sworn police and fire employees, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-094
By Ostrow
Intro & 1st Reading: 8/28/2009
Ref to: W&M/Budget
2nd Reading: 9/18/2009

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 20 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 20.477 to read as follows:

20.477. 2009 Retirement Incentive Plan. (a) *Definitions.*

Eligible employee. For the purposes of this section, an eligible employee means a sworn employee of the Minneapolis Police Department who is eligible for full or reduced retirement benefits under any public employees' retirement plan or a sworn employee of the Minneapolis Fire Department who is eligible for full or reduced retirement benefits under any public employees' retirement plan.

Employee's health care savings account. The employee's account in the Minnesota State Retirement System's Health Care Savings Plan established through Minneapolis City Ordinance, Section 20.430.

(b) *Plan.* Any eligible employee who has submitted a signed and completed participation form to the human resources department to the attention of the employee services director prior to or on November 6, 2009 and who separates from service no earlier than sixteen (16) days after submission of the completed election form but prior to or on November 30, 2009, will receive fifteen thousand dollars (\$15,000.00) deposited to the employee's health care savings account.

(c) *Pension benefits impact.* To the extent permitted by law, the contribution will have no financial impact on the eligible employee's current or future pension benefits.

(d) *Employment ineligibility.* Employees who separate employment under the terms of this section are ineligible for future employment with any department under city council jurisdiction.

(e) *Rescission period.* An employee may rescind the election to participate pursuant to federal law, state law, civil service rules or collective bargaining agreement.

(f) *Payment.* The payment to the employee's health care savings account under this section will be made within thirty (30) days after the expiration of all applicable notice, waiver and rescission time periods.

(g) *Waiver of rights.* Employees participating in the incentive under this section must release the City of Minneapolis from any and all rights, causes of action or claims in connection with the employee's employment at the City of Minneapolis, termination of that employment and all related matters. The waiver shall exclude rights, causes of action and claims arising after the date, the waiver is executed. These rights and claims include, but are not limited to, those arising under any local, state, or federal laws, regulations or other requirements, including without limitation the Age Discrimination in Employment Act, as amended by the Older Workers' Benefit Protection Act. The waiver will not interfere with an employee's right to file a charge or participate in an investigation or a proceeding conducted by the Equal Employment Opportunity Commission.

Adopted 9/18/2009.

Absent - Samuels.

Approved by Mayor Rybak 9/18/2009.

W&M/Budget - Your Committee, having under consideration the 2010 Budget process, now recommends approval of the following staff directions:

1) A review be conducted of any overlap of operations between Regulatory Services Environmental Division, Minneapolis Department of Health, the State, the County and other City Departments with regards to environmental or health issues. The review shall identify duplicative services or services that may be done more efficiently if operations are combined or responsibilities are transferred among departments or to another unit of government. The team will be led by one representative from Regulatory Services and one representative from the Health Department, or one person jointly chosen by the Assistant City Coordinator and the Director of Health. The Assistant City Coordinator and the Director of Health, or their designees, will report back to the Ways & Means/Budget Committee no later than November 16, 2009 on the findings or conclusions of the work team.

2) BIS is directed to determine the additional cost of including the Minneapolis Park and Recreation Board in the City's Unisys contract and to report back to W&M Budget on its conclusions no later than November 20, 2009.

3) The Minneapolis Police Department is directed to evaluate the additional cost to the department to provide investigations for the Minneapolis Park and Recreation Board and to report back on its conclusions no later than November 20, 2009.

4) The Director of Solid Waste is directed to evaluate the additional cost to the department and potential impact on ratepayers for Minneapolis Solid Waste to provide solid waste services to the Minneapolis Park and Recreation Board and to report on its conclusions no later than November 20, 2009.

5) The Finance Department, CPED and Public Works Department shall review pending capital projects, including MPRB-sponsored projects, for eligibility for CDBG funds and shall report back to W&M Budget on their conclusions no later than October 28, 2009.

6) As a part of their budget presentations, any departments which authorize take-home vehicles shall report on the rank or position of each employee provided take-home vehicles, the annual expense to the department, and the current take-home vehicle policy.

7) The Minneapolis Police Department is directed to provide the following information related to the Mounted Patrol:

- a) An annual expense report for the Mounted Patrol itemizing all expenditures including full and part-time staff, overtime, storage and other expenses for animal care, transportation and capital expenditures;
- b) A report of hours and events worked by the Mounted Patrol, to include the percentage of staff time dedicated to transportation and care of the animals.

8) As a part of its budget presentation on October 28, 2009, the Department of Public Works shall report on 2009 Capital project activity and any anticipated rollover, and shall include in its report year-to-date and anticipated year-end activity in the Accelerated Infrastructure Program and any annual programs of the department.

9) During the presentations of their 2010 budgets to the Ways & Means/Budget Committee, departments are directed to present an estimated number of vacancies remaining in their department if the proposed cuts are made and an explanation of the rationale for the positions remaining vacant.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee, having under consideration the Medicare Secondary Pay Mandatory Reporting requirements, now recommends authorizing the following:

a) Registering the City of Minneapolis as a required reporting entity for Medicare, Medicaid, and SCHIP Extension Act of 2007, Section 111;

b) Designating of the Chief Financial Officer as the Authorized Representative for Section 111 Reporting Requirements;

- c) Chief Financial Officer to bind the City of Minneapolis to a contract and the terms of the Medicare, Medicaid, and SCHIP Extension Act of 2007, Section 111 requirements and processing;
 - d) Chief Financial Officer to designate the Account Manager and Account Designees; and
 - e) Chief Financial Officer to allocate non-conformance penalties assessed by Medicare.
- Adopted 9/18/2009.
Absent - Samuels.

W&M/Budget - Your Committee, having under consideration the Defined Contribution Retirement Plan (formerly the Minneapolis Community Development Agency Retirement Plan, now recommends authorizing proper City officers to execute amendments to the "Plan", that is required to come into compliance with final Internal Revenue Service (IRS) regulation relating to the types of compensation that can be included for purposes of determining limits on annual plan contributions.

Adopted 9/18/2009.

Absent - Samuels.

W&M/Budget - Your Committee having under consideration the August 19, 2009 tornado that struck South Minneapolis resulting in sidewalk damage to seventy-two (72) private and public properties, now recommends amending the existing Contract C-26690 with Concrete Idea, Inc., by increasing the amount by \$65,000, for a revised contract total of \$1,216,630.

Your Committee further recommends passage of the accompanying resolutions appropriating funds for the various sidewalk repairs.

Adopted 9/18/2009.

Absent - Samuels.

RESOLUTION 2009R-440

By Ostrow

Amending The 2009 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by decreasing the General Fund Contingency appropriation in the Non-departmental Agency Fund (00100-1230100) by \$65,000.

Adopted 9/18/2009.

Absent - Samuels.

RESOLUTION 2009R-441

By Ostrow

Amending The 2009 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the PW - Capital Improvements Fund (04100-9010939 Project SWK09005) by \$65,000.

Adopted 9/18/2009.

Absent - Samuels.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Ahmad Al-Hawari, with Lyndale Liquor, Inc., from the decision of the Planning Commission granting an application by Binh and Christina Le, with Lake Wine and Cheese for a conditional use permit for a liquor store at 404 West Lake Street, now recommends that said appeal be denied in part, the conditional use permit be approved with a condition requiring the applicant to meet with Public Works and comply with their recommendations for traffic management and safety, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Adopted 9/18/2009.

Absent - Samuels.

Z&P - Your Committee concurs in the recommendation of the Planning Commission denying the application of Lakewood Isles, LLC, to vacate Ewing Avenue S south of 31st Street W and north of the Hennepin County Regional Railroad Authority(#1559), and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Adopted 9/18/2009.

Absent - Samuels.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Brighton Development Corporation (BZZ-4476) to rezone the property at 610 28th Street W from R2B to the C2 Neighborhood Corridor Commercial District to permit a four-story, 61 unit mixed-use building with ground floor retail, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-095 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 610 28th Street W to the C2 District, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-095
By Schiff
1st & 2nd Readings: 9/18/2009

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357: That part of Lot 6, Lot 7, Lot 8, Lot 9, Lot 10, and the west 19.42 feet of Lot 5 EXCEPT the north 8.00 feet thereof, Block 2, GROVER'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota; TOGETHER WITH that part of the vacated north-south alley in said Block 2, GROVER'S ADDITION TO MINNEAPOLIS, lying south of the westerly extension of the south line of the north 8.00 feet of said Lot 5; TOGETHER WITH Lot 4, Lot 5, Lot 6, and the west 25.42 feet of Lot 3, Block 1, COE'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota; TOGETHER WITH that part of the vacated east-west alley in said Block 1 lying northerly and adjoining said Lot 3, Lot 4, Lot 5, and Lot 6 and lying west of the northerly extension of the east line of the west 25.42 feet of said Lot 3 (610 28th Street W - Plate 24) to the C2 District.

Adopted 9/18/2009.

Absent - Samuels.

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinances be given their second reading for amendment and passage as follows:

- a. Amending Chapter 550 relating to *Industrial Districts*; and
- b. Amending Chapter 551, relating to *Overlay Districts*.

Adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-096 amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to *Zoning Code: Industrial Districts*, amending a portion of Table 550-1 regarding allowed uses in the Industrial Districts, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-096
By Schiff
Intro & 1st Reading: 6/6/2008
Ref to: Z&P
2nd Reading: 9/18/2009

Amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to Zoning Code: Industrial Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following portion of Table 550-1 of the above-entitled ordinance be amended to read as follows:

Table 550-1 Principal Uses in the Industrial Districts

Use	I1	I2	I3	Specific Development Standards
-----	----	----	----	--------------------------------------

INDUSTRIAL USES

Institutional and Public Uses

Educational Facilities

School, grades K—12	P	P		
Adopted 9/18/2009.				
Absent - Samuels.				

Ordinance 2009-Or-097 amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to *Zoning Code: Overlay Districts*, amending Section 551.370 to add a conditional use in the IL Overlay District, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-097
By Schiff
Intro & 1st Reading: 6/6/2008
Ref to: Z&P
2nd Reading: 9/18/2009

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 551.370 of the above-entitled ordinance be amended by adding thereto a new subdivision (3):

551.370. Conditional Uses. In addition to the conditional uses allowed in the primary zoning district, the following conditional uses may be allowed in the IL Overlay District, subject to the provisions of Chapter 525, Administration and Enforcement.

(3) School, grades K-12, subject to the following conditions:

a. Schools, grades K-12, shall be subject to the requirements of Chapter 536, Specific Development Standards.

Adopted 9/18/2009.

Absent - Samuels.

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that said ordinances be given their second reading for amendment and passage as follows:

- a. Amending Chapter 520 relating to *Introductory Provisions*;
- b. Amending Chapter 536 relating to *Specific Development Standards*;
- c. Amending Chapter 537 relating to *Accessory Uses*; and
- d. Amending Chapter 548, relating to *Commercial Districts*.

Your Committee further recommends that Chapter 551 be returned to author.

Adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-098 amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to *Zoning Code: Introductory Provisions*, amending Section 520.160 to add a definition for reception or meeting halls, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-098

By Schiff

Intro & 1st Reading: 7/17/2009

Ref to: Z&P

2nd Reading: 9/18/2009

Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 520.160 of the above-entitled ordinance be amended by adding thereto the following definition in alphabetical sequence to read as follows:

520.160. Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. All words and phrases not defined shall have their common meaning.

Reception or meeting hall: Also known as a banquet hall or a rental hall. A building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person or group for a private event or function, that is not open to the general public, whether or not a fee is charged.

Adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-099 amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to *Zoning Code: Specific Development Standards*, amending Section 536.20 to amend specific development standards for reception or meeting halls, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-099
By Schiff
Intro & 1st Reading: 7/17/2009
Ref to: Z&P
2nd Reading: 9/18/2009

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards.

Section 1. That Section 536.20 of the above-entitled ordinance be amended by adding thereto the following definition in alphabetical sequence to read as follows:

536.20. Specific Development Standards. The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Reception or meeting hall.

(1) Where alcoholic beverages are served, the use shall comply with the requirements of Title 14, Liquor and Beer, of the Minneapolis Code of Ordinances and Chapter 4 of the Minneapolis City Charter.

(2) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-100 amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to *Zoning Code: Accessory Uses and Structures*, amending Section 537.110 to add reception or meeting halls to the allowed accessory uses and structures, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-100
By Schiff
Intro & 1st Reading: 7/17/2009
Ref to: Z&P
2nd Reading: 9/18/2009

Amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to Zoning Code: Accessory Uses and Structures.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 537.110 of the above-entitled ordinance be amended by adding thereto the following accessory use and structure in alphabetical sequence to read as follows:

537.110. Allowed accessory uses and structures. The following accessory uses and structures shall be allowed, subject to the following development standards:

Reception or meeting hall. A reception or meeting hall may be permitted accessory to a restaurant, hotel, museum, and theater, or any school, public park building, or municipal building that is exempt from the rental hall license requirements of Chapter 266, Rental Halls, subject to the following:

(1) Where alcoholic beverages are served, the use shall comply with the requirements of Title 14, Liquor and Beer, of the Minneapolis Code of Ordinances and Chapter 4 of the Minneapolis City Charter.

(2) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected regularly for purposes of removing any litter found thereon.

Adopted 9/18/2009.

Absent - Samuels.

Ordinance 2009-Or-101 amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to *Zoning Code: Commercial Districts*, amending Table 548-1 regarding reception or meeting halls as a principal use in Commercial Districts, was adopted 9/18/2009 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2009-Or-101
By Schiff
Intro & 1st Reading: 7/17/2009
Ref to: Z&P
2nd Reading: 9/18/2009

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following portion of Table 548-1 of the above-entitled ordinance be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

<i>Use</i>	<i>C1</i>	<i>C2</i>	<i>C3A</i>	<i>C3S</i>	<i>C4</i>	<i>Specific Development Standards</i>
COMMERCIAL USES						
Commercial Recreation, Entertainment and Lodging						
Reception or meeting hall		<u>PC</u>	P	<u>PC</u>	<u>PC</u>	✓
Adopted 9/18/2009.						
Absent - Samuels.						

Z&P - Your Committee concurs in the recommendation of the Heritage Preservation Commission in granting the petition of the CSM Depot, LLC, for a historic variance for the Milwaukee road Depot and Freight House, an existing designated individual landmark located at 225 3rd Avenue S, to permit the installation of one freestanding illuminated parking lot sign, subject to the condition that CPED Planning Preservation Staff shall review and approve the final plans and elevations prior to building permit issuance, and adopting the related findings prepared by the HPC staff.

Adopted 9/18/2009.

Absent - Samuels.

Z&P - Your Committee, having under consideration the appeal filed by Call Your Bluff Development, LLC, from the decision of the Planning Commission denying applications for a) a conditional use permit for 79 dwelling units, b) a conditional use permit to increase the height of a building to 6 stories or 70 feet in the I2 Industrial Overlay District, c) a variance to reduce the minimum lot area per dwelling unit by 30 percent, and d) a site plan review application, all at 600 Main Street SE, now recommends that said appeal **be sent forward without recommendation**.

Remington moved that the report be postponed one cycle. Seconded.
Adopted upon a voice vote 9/18/2009.
Absent - Samuels.

MOTIONS

Ostrow moved that the regular payrolls for all City employees under City Council jurisdiction for the month of October, 2009, be approved and ordered paid subject to audit by the Finance Officer. Seconded.
Adopted 9/18/2009.
Absent - Samuels.

Johnson moved that the subject matter of an expansion of the City's Labor Peace resolution to include construction contracts be referred to the Transportation & Public Works Committee. Seconded.
Adopted upon a voice vote 9/18/2009.
Absent - Samuels.

Johnson moved that the subject matter of a responsible bidder policy be referred to the Transportation & Public Works Committee. Seconded.
Adopted upon a voice vote 9/18/2009

RESOLUTIONS

Resolution 2009R-442, honoring Christ Church Lutheran, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-442

**By Schiff, Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman,
Glidden, Remington, Benson, Colvin Roy and Hodges**

Honoring Christ Church Lutheran.

Whereas, world-renowned Finnish-American architect Eliel Saarinen designed Christ Church Lutheran at 3244 34th Avenue South in Minneapolis in 1949; and

Whereas, his son Eero Saarinen designed an education wing for Christ Church Lutheran in 1962; and

Whereas, since its completion, Christ Church Lutheran has been a site of international attention as one of the earliest and most influential interpretations for a place of worship in the Modern idiom; and

Whereas, this building is a site of pilgrimage for architects from around the world and for students and teachers from many institutions of higher learning who come to experience the Saarinen's unique style of Modernism; and

Whereas, Christ Church Lutheran is holding a public celebration on September 27, 2009 to commemorate its designation by the U.S. Department of the Interior as a National Historic Landmark; and

Whereas, Christ Church Lutheran is only the third Minneapolis property to be designated as a National Historic Landmark; and

Whereas, in 1977 the building received the American Institute of Architects' 25-Year 20th century and was described by the AIA as "a living symbol of architectural integrity...a building with great dramatic effect and architectural impact, and yet which retains a very human scale and possesses a feeling of serenity and repose".

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Sunday, September 27th, 2009, be proclaimed as Christ Church Lutheran Day in the City of Minneapolis.

Be It Further Resolved that we wish Christ Church Lutheran success in their mission of bringing hope, healing, and beauty to people in their neighborhood, in the greater Twin Cities, and in the wider world.

Adopted 9/18/2009.

Absent - Samuels.

Resolution 2009R-443, honoring Walker Community United Methodist Church, was adopted 9/18/2009 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2009R-443

**By Schiff, Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman,
Glidden, Remington, Benson, Colvin Roy and Hodges**

Honoring Walker Community United Methodist Church.

Whereas, the Walker Community United Methodist Church building was constructed at the corner of 16th Avenue South and 31st Street South in Minneapolis in 1909 and has weathered 100 years; and

Whereas, a rainbow of ministries and people have been sheltered at this location over the past century; and

Whereas, many community groups have started their work in this space including KFAI local community radio and In the Heart of the Beast Puppet and Mask Theatre; and

Whereas, many generations of faithful people have worked to build, maintain, make handicapped accessible, and improve this place of ministry and community; and

Whereas, on Saturday, September 19, 2009, there will be a feast to mark this occasion; and

Whereas, as Walker Community United Methodist Church looks forward to celebrating 100 more years, the congregation is continuing to make the building environmentally friendly; and

Whereas, greening efforts will include new insulation on outside walls and the roof, energy efficient lighting, and new windows to reduce heating and cooling costs; and

Whereas, these efforts will make the space more energy and cost efficient for the next century;

Now, Therefore Be It Resolved by The City Council of the City of Minneapolis:

That Saturday, September 19, 2009, be proclaimed as Walker Community United Methodist Church Day in the City of Minneapolis.

Be It Further Resolved that we hope this building furthers their mission to nurture spirituality, build caring community, and work courageously for peace with justice for another hundred years.

Adopted 9/18/2009.

Absent - Samuels.

UNFINISHED BUSINESS

W&M/Budget - Your Committee, having under consideration the Mayor's 2010 budget recommendation downsizing the Public Health Laboratory, now recommends that the Minneapolis Police Department be directed to forward written correspondence to Michael Campion, Commissioner of the Minnesota Department of Public Safety, stating as follows:

- 1) That as part of the 2010 Budget process, the City of Minneapolis is exploring the closing of its separate public health lab, which includes the operation of a lab for drug- and-alcohol testing;
 - 2) That the City believes that duplicating services at the municipal level that are already provided at the state level should be avoided where possible; and
 - 3) That the City requests written confirmation of the following:
 - a) that the Bureau of Criminal Apprehension (BCA) is committed to providing lab services to all municipalities, including Minneapolis, under the same financial conditions and service commitments; and
 - b) that the BCA will not require the City to donate, at the City's expense, personnel or equipment as a condition of providing lab analysis for cases originating in Minneapolis.
- Ostrow moved that the report be referred to the City's budget process. Seconded.
Adopted upon a voice vote 9/18/2009.
Absent - Samuels.

Pursuant to notice, Gordon moved to introduce the subject matter of an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses for first reading and referral to the Public Safety & Regulatory Services Committee, for a public hearing to be held on September 23, 2009 (increasing the allowable opportunities for on-sale liquor, wine and beer establishments near the University of Minnesota football stadium to temporarily expand their licenses and premises for special events). Seconded.
Adopted upon a voice vote 9/18/2009.
Absent - Samuels.

Pursuant to notice, Gordon moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Zoning & Planning Committee (amending the surfacing standards for parking areas and driveways), as follows:

- a) Amending Chapter 520 relating to Introductory Provisions;
- b) Amending Chapter 525 relating to Administration and Enforcement;
- c) Amending Chapter 541 relating to Off-Street Parking and Loading. Seconded.

Adopted upon a voice vote 9/18/2009.
Absent - Samuels.

Pursuant to notice, Remington moved to introduce the subject matter of an ordinance amending Title 17, Chapter 464 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Newsracks, for first reading and referral to the Public Safety & Regulatory Services Committee (amending various sections to implement voluntary newsrack standards). Seconded.
Adopted upon a voice vote 9/18/2009.
Absent - Samuels.

Pursuant to notice, Johnson moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Zoning & Planning Committee (to allow radio and television station(s) as an allowed use in the C-1 Neighborhood Commercial District), as follows:

- a) Amending Chapter 520 relating to Introductory Provisions;
- b) Amending Chapter 536 relating to Specific Development Standards;
- c) Amending Chapter 548 relating to Commercial Districts. Seconded.

Adopted upon a voice vote 9/18/2009.
Absent - Samuels.

NEW BUSINESS

Glidden moved to introduce the subject matter of an ordinance amending Title 8.5, Chapter 167 of the Minneapolis Code of Ordinances relating to Elections: Municipal Elections: Rules of Conduct, for first reading and referral to the Elections Committee (clarifying definitions and steps to be taken in the counting process and to change typographical errors). Seconded.

Adopted by unanimous consent 9/18/2009.

Absent - Samuels.

Ostrow gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Appendix H of the Minneapolis Code of Ordinances relating to Minneapolis Cable Communication Franchises (adopting a new Cable Franchise Agreement between the City of Minneapolis and Comcast).

Schiff gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine Licenses, amending various sections pertaining to wine licenses and the entertainment that would be allowed).

Ostrow moved to introduce the subject matter of an ordinance amending Title 15, Chapter 399 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous: Dutch Elm Disease, for first reading and referral to the Health, Energy & Environment Committee (amending the Dutch Elm Ordinance to include any invasive tree pest). Seconded.

Adopted by unanimous consent 9/18/2009.

Absent - Samuels.

Ostrow moved to introduce the subject matter of an ordinance amending Title 8, Chapter 160 of the Minneapolis Code of Ordinances relating to Consumer Protection: Weights and Measures, for first reading and referral to the Health, Energy & Environment Committee (amending Section 160.255 regulating the sale, transportation or storage of Elmwood to include Ashwood and other wood infected or invested with an invasive tree pest). Seconded.

Adopted by unanimous consent 9/18/2009.

Absent - Samuels.

Ostrow moved to introduce the subject matter of an ordinance amending Title 13, Chapter 347 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tree Servicing, for first reading and referral to the Health, Energy & Environment Committee (amending Section 347.10, to include under the definition of tree servicing the application of pesticides to trees in the list of services requiring a tree servicing license). Seconded.

Adopted by unanimous consent 9/18/2009.

Absent - Samuels.

Lilligren moved to adjourn to Room 315 City Hall to consider the Continental Property Group, et al. v. City of Minneapolis lawsuit. Seconded.

Adopted upon a voice vote 9/18/2009.

Absent - Samuels.

Room 315 City Hall

Minneapolis, Minnesota

September 18, 2009 - 10:39 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present – Council Members Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Hofstede, Ostrow, Schiff, Lilligren, President Johnson.

Absent - Council Members Samuels, Gordon.

Deputy City Attorney Peter Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the Continental Property Group, et al. v. City of Minneapolis lawsuit.

Goodman moved that City Council Rule 1 (A), relating to Meetings, be suspended in order to allow Doug Kress, Council Member Aide, Ward 7, to attend the closed meeting. Seconded.

Adopted upon a voice vote.

Absent - Samuels, Gordon.

At 10:41 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent - Samuels, Gordon.

Present - Colvin Roy (Out at 12:07 p.m.), Glidden, Remington, Benson (Out at 11:50 a.m.; In at 11:52 a.m.), Goodman, Hodges (Out at 11:35 a.m.; In at 11:39 a.m.), Gordon (In at 10:42 a.m.), Hofstede (Out at 11:59 a.m.; In at 12:02 p.m.), Ostrow, Schiff, Lilligren (Out at 11:29 a.m.; In at 11:31 a.m.), Johnson.

Absent - Samuels.

Also present - Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Charles Nauen and Gregory J. Myers, Attorneys at Lockridge, Grindal, Nauen law firm; Doug Kress, Council Member Aide, Ward 7; R.T. Rybak, Mayor (In at 10:42 a.m.; Out at 11:52 a.m.); Steve Ristuben, City Clerk; and Jackie Hanson, City Clerk's Office.

Nauen summarized the Property Group, et al. v. City of Minneapolis lawsuit from 10:43 a.m. to 12:08 p.m.

At 12:08 p.m., Lilligren moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent - Colvin Roy, Samuels.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 9/18/2009.

Absent - Colvin Roy, Samuels.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Steven J. Ristuben,
City Clerk.

Unofficial Posting: 9/22/2009
Official Posting: 9/25/2009
Corrections: 9/28/2009